



ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

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**NORTHWEST FAIR
HOUSING ALLIANCE**

"Working to Ensure Equal Housing Opportunity for All"

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I. INTRODUCTION AND EXECUTIVE SUMMARY

The purpose of this Analysis is to identify impediments to fair housing choice in the City of Everett based on race, color, religion, sex, disability, familial status, or national origin (“protected classes”) in violation of the Federal Fair Housing Act (FHA),¹ impediments based on marital status, creed, sexual orientation, and veteran or military status, in violation of the Washington State Law Against Discrimination (WLAD)², and source of income discrimination in violation of the Washington Residential Landlord Tenant Act.³

The City of Everett receives federal grant funds under the Community Development Block Grant (CDBG) program and HOME Investment Partnership (HOME) funds as part of an interlocal agreement under the Snohomish County Consortium. The U.S. Department of Housing and Urban Development (HUD) administers these funds. Snohomish County is the lead agency and grant recipient for the Consortium and HOME funds.

Requirement for Entitlement Jurisdictions to Affirmatively Further Fair Housing

The Secretary of the U.S. Department of Housing and Urban Development (HUD) is required by Section 808(c) (5) of the Fair Housing Act to administer HUD’s programs in a manner that affirmatively furthers fair housing (AFFH). Entitlement jurisdictions that receive federal funds to administer HUD’s Community Planning and Development (CPD) programs are also required by federal regulations to certify that they will AFFH and undertake Fair Housing Planning (FHP).

Fair Housing Planning requires a jurisdiction to:

- Conduct an analysis to identify impediments to fair housing choice within the jurisdiction (Analysis of Impediments to Fair Housing Choice (“AI”));
- Take appropriate actions to overcome the effects of any impediments identified through the analysis; and
- Maintain records reflecting the analysis and actions taken in this regard.

Conducting an analysis of impediments and taking actions to overcome effects of any identified impediments means to:

- Analyze and eliminate housing discrimination in the jurisdiction;
- Promote fair housing choice for all persons;
- Provide opportunities for inclusive patterns of housing occupancy regardless of protected class;
- Promote housing that is structurally accessible to, and usable by, all persons, particularly persons with disabilities; and
- Foster compliance with the nondiscrimination provisions of the Fair Housing Act

The AI:

- Serves as the substantive, logical basis for Fair Housing Planning;
- Provides essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and
- Assists in building public support for fair housing efforts both within a State or Entitlement jurisdiction’s boundaries and beyond.

¹ 42 U.S.C. 3601 et seq.

² RCW 49.60.

³ RCW 59.18.255.

Where the community planning and development perspective looks at needs for housing and possible barriers to meeting those needs, the fair housing perspective focuses as much on the causes of needs of groups or persons protected by the Fair Housing Act as it does on the needs themselves.

HUD suggests that jurisdictions conduct or update their AI at least once every 3 to 5 years consistent with the Consolidated Plan cycle. Everett's most recent AI was the 2005-2010 Analysis of Impediments to Fair Housing Choice.⁴ This report is intended to serve as the updated Analysis of Impediments to Fair Housing Choice (AI) for the City of Everett and its Urban Growth Areas. See App. A for a discussion on HUD's affirmatively furthering fair housing regulations.

Impediments to Fair Housing Choice - Defined

The AI is a review of impediments to fair housing choice in both the public and private sector. The AI involves:

- A comprehensive review of a State or Entitlement jurisdiction's laws, regulations, and administrative policies, procedures, and practices;
- An assessment of how those laws, etc. affect the location, availability, and accessibility of housing;
- An assessment of conditions, both public and private, affecting fair housing choice for all protected classes; and
- An assessment of the availability of affordable, accessible housing in a range of unit sizes.

Impediments to fair housing choice are:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin ("protected classes") which restrict housing choices or the availability of housing choices
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of a protected class

Policies, practices, or procedures that appear neutral on their face, but which operate to deny or adversely affect the availability of housing to persons because of membership in a protected class may constitute impediments.

Policies and activities that decrease access to affordable housing can pose impediments to fair housing choice based on disparate impact on certain protected classes. The HUD Fair Housing Planning Guide (FHPG) notes both the distinction and the potential intersection between affordable housing activities and those that affirmatively further fair housing choice:

The two concepts are not equivalent but they are also not entirely separate. When a jurisdiction undertakes to build or rehabilitate housing for low- and moderate-income families, for example, this action is not in and of itself sufficient to affirmatively further fair housing. It may be providing an extremely useful service by increasing the supply of decent, safe, and sanitary affordable housing. Providing adequate housing and improving existing neighborhoods are vital functions and should always be encouraged.

Additionally, the provision of affordable housing is often important to minority families and to persons with disabilities because they are disproportionately represented among those that would benefit from low-cost housing. When steps are taken to assure that the housing is fully available to all residents of the community, regardless of race, color, national origin, gender, handicap, or familial status, those are the actions that affirmatively further fair housing.⁵

⁴ <https://everettwa.gov/DocumentCenter/View/759/Analysis-of-Impediments-to-Fair-Housing-PDF>

⁵ U.S. Dept. of HUD, *Fair Housing Planning Guide (FHPG)*, Vol. 1, Detailed Discussion of AI Areas For Entitlement, State, and State-Funded Jurisdictions. Ch. 5, sec. 5.1, p. 5-4.

EXECUTIVE SUMMARY

The City of Everett's Community, Planning and Economic Development Department contracted with Northwest Fair Housing Alliance (NWFHA) to complete an updated Analysis of Impediments to Fair Housing Choice. The City allocated funding for this project from CDBG funds.

NWFHA is a HUD designated Qualified Fair Housing Organization and has provided nonprofit fair housing services since 1994. NWFHA's mission is to eliminate housing discrimination and ensure equal housing opportunity for the people of Washington State through education, counseling and advocacy.

The U.S. Department of HUD *Fair Housing Planning Guide* (FHPG) was used to inform the development of this Analysis of Impediments to Fair Housing Choice, with supplementation of maps and data tables from the HUD Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T).

The following sources were also reviewed and referenced:

- Home Mortgage Disclosure Act (HMDA) data
- Complaint Data from:
 - The U.S. Dept. of Housing & Urban Development, Fair Housing & Equal Opportunity (HUD)
 - The Washington State Human Rights Commission (WSHRC)
 - Fair Housing Center of Washington (FHCW)
- Census and American Community Survey Data, US Census Bureau
- WA Office of Financial Management population and demographics data
- Results of Fair Housing Center of WA HUD Fair Housing Initiative Program (FHIP) grant testing
- HUD Low Income Housing Tax Credit online Query Tool
- PolicyMap online mapping and data
- Opportunity Insights, Harvard University, online mapping and data
- Community Survey results
- Federal, State, and Everett laws and ordinances
- University of Washington, Runstad Department of Real Estate, Housing and Apartment Market Reports
- *Analysis of Impediments to Fair Housing Choice, City of Everett, 2005-2010*
- *Housing Authority of Snohomish County Analysis of Impediments to Fair Housing Choice & Language Access Plan, May 10, 2019*
- *Fair Housing Equity Assessment for the Central Puget Sound Region, January 2014*
- *Analysis of Impediments to Fair Housing Choice, Snohomish County Urban, County Consortium, September 14, 2012*
- *Housing Profile: Snohomish County, July 2015, and Housing Profiles for individual towns and cities, Prepared by the Alliance for Housing Affordability*
- *The Housing Consortium of Everett and Snohomish County Housing Snohomish County Project Report, April 2018*
- *Draft 2020 WA State Analysis of Impediments to Fair Housing Choice*
- *Draft 2020 Snohomish County Analysis of Impediments to Fair Housing Choice*

Community surveys for housing consumers, advocates, and housing providers, were distributed in English, Russian, Spanish, Korean, and Vietnamese. The draft AI was made available on the City website, and a public forum to review the draft Analysis of Impediments was held on February 26, 2020.

City of Everett Summary Profile

Demographics: Of the total Everett population, 74.8% are white, 8.7% are Asian, 4.2% are black or African American, 1% are American Indian or Alaska Native, 1.3% are Native Hawaiian or Other Pacific Islanders, 3.5% identify as another race, and 6.5% have two or more races. Sixteen and a half percent of the non-institutionalized population in Everett have a disability, a higher percentage than Snohomish County (12%) and the State (12.8%), and higher rates of disability than the County and State at all age groups. Everett has significantly more non-family households (44.4%) than the County or State (31.6% and 35.3%).

Income: Median annual household income in 2018 in Everett was \$57,205. 6.7% of households had income below \$10,000. As of 2017, white median household income was slightly higher than overall area median income (AMI). Asian median income was the highest (135%), while black and Hispanic median incomes were 82% and 83% of AMI, and Native American households only 66% of AMI. Median earnings for males working full-time, year-around was about 20% higher than that for equivalently working female workers.

Poverty: Over 16.3% of all people in Everett lived in poverty based on US Census thresholds (22% of those under 18, 13.4% of those 65 and older, and 13% of people 18-64) (ACS 2014 – 2018), at higher rates than the County and State. People of color, except Asians, are more likely to live below the poverty level in Everett: 24.3% of black people, 25% of Native Americans and Alaska Natives, 21.8% Hispanics and Latinx, and 28.6% of those who are two or more races. Comparatively, 14.5% of whites and 13.2% of Asians live below the poverty level.

HUD establishes annual income thresholds for housing program access based on area median income. Nearly 39% of all Everett households were “very low-income” (50% AMI) and more than 57.3% of all households were “low income” in 2018. (ACS)

Housing Tenure: There are more renters than owner-occupants in Everett (44.4% owners and 55% renters). Hispanic and Latinx, black, and Asian, American Indians and Alaska Natives, Native Hawaiians and other Pacific Islanders, other races, and people who are two or more races are underrepresented in home ownership and overrepresented as tenants compared to their percentages in the general population.

Housing Affordability: Estimated median housing costs in Everett are lower for both owner-occupants and renters than in the County and State. The median owner-estimated home value in 2018 in Everett was \$293,200 (21% less than the County overall). Of owner-occupied households, 73.6% had a mortgage and 26.4% owned their homes without a mortgage. The median monthly housing costs for owners with a mortgage was \$1,800 and \$596 for owners without a mortgage. Almost one third of households with a mortgage had housing costs more than \$2,000 per month, a much lower rate than the County, and also lower than WA. Another third of households with a mortgage paid less than \$1,500 a month. In 2018, Everett renters paid a median gross rent of \$1,173, a 7% increase over 2017 median gross rent. Everett 2018 gross median rent was 14.5% less than Snohomish Co. (\$1,371).

Black households and households comprised of two or more races, or “some other race”, as well as Hispanic households, on average pay a greater percentage of their household income for gross rent (18% to 27.7%) compared to white households who pay 15% (Everett, Mulkiteo, and Eastmont Public Use Microdata Areas; Everett PUMA alone not available). Asian households on average pay a smaller percentage of household income than whites on gross rent (10.4% – 13.7%).

Housing is considered affordable when the cost of housing plus utilities equals no more than 30% of household income. During 2014-2018, 31.5% of owners with a mortgage, 19.8% of owners without a mortgage, and 53% of renters in Everett were cost burdened (paid more than 30% of income for housing). Twenty-four percent of Everett households were “severely” rent-burdened, paying more than 50% of their income for rent. As of 2013, 14.7% of white non-Hispanic households in Everett had a severe housing cost burden. The rates of severe cost burdened households increase for people of color: 17.4% of Asians and Pacific Islander households, 18.5% of black households, 18.8% of Native American households, and 22.6% of Hispanic households. With housing costs, it is very likely that the percentage of households that have a severe housing cost burden has only increased.

Housing Problems: Almost 44% of all households in Everett were experiencing at least one of four “housing problems” (1. Lacks complete kitchen facilities 2. Lacks complete plumbing facilities 3. More than one person per room 4. Cost Burden – monthly housing costs exceed 30% of monthly income) (2016). As of 2013, 45.2% of all households experienced at least 1 housing problem; 43% of white households experienced at least 1 housing problem, 45.7% of Asians and Pacific Islanders, and 42.4% of Native Americans. Black and Hispanic households experienced at least one problem at significantly higher rates: 50% and 58.7%. Over 22% of all households in Everett experienced at least one “severe” housing problem, less than the Co. rate of 33.5% (2013). The rates for Hispanics and other Non-Hispanics were highest, at over 33% each (the highest rates in the Co. were for Black, non-Hispanic and Native Americans, at over 54% each).

Housing Units: Based on a forecasted population of 165,000 by 2035, Everett will need 22,777 additional housing units by that year, a 54.4% increase in housing unit inventory. Forty percent (9,267) of needed additional units will be needed for households with 50% or less median income; 15.5% (3,529) of new units will be needed for households with 51 to 80% median income; and 43.8% (9,981) will be needed for households with 81% or more median income.

Publicly Assisted Housing: There were 18,365 people living in subsidized housing in 2018 in Snohomish County. 6,784 of these were in Everett. The largest number resided in tract 40200. People with disabilities were 16.6% of the Everett population in 2016, but comprised 20% of public housing residents, and 18.7% of project-based section 8 housing residents. Asian and Pacific Islanders were 8.8% of the City population but 15.9% of public housing households, 29.3% of section 8 project-based households, and 30% of households in “Other Multifamily” housing, which includes properties funded through the Section 202 Supportive Housing for the Elderly Program (with both capital advance grants and Project Rental Assistance Contracts) and Sec. 811 Supportive Housing for Persons with Disabilities Program (Asian populations in several specific “Other Multifamily Housing” complexes ranged from 29 -76%). Persons of color are also concentrated within several publicly assisted housing developments. As of 2016, black residents made up 12% of one project-based sec. 8 complex, and Asian residents comprised 46% and 21% of two project-based sec. 8 properties. *Voucher holders* are concentrated in tracts 40200 (28% of households), 40700 (18.9%), 41100 (12.78%), 41904 (12.6%). More than half of *Housing Authority of Snohomish County* (HASCO) voucher holders have a disability, compared to 12% of the County and 16% of Everett populations. People with disabilities comprised 34.7% of all sec. 8 housing choice voucher holders in Everett. Black people are also overrepresented in the housing voucher program (11% of HASCO voucher holders). Similarly, in 2016, black people in Everett were 4.4% of the population, but 10% of housing choice voucher holders.

The AI identifies the following impediments to fair housing choice in the City of Everett:

Impediment 1: There is insufficient affordable⁶ housing in Everett to meet demand, which has a disparate impact on people with disabilities and people of color and Latinx national origin who are statistically more likely to be living in poverty and be in need of affordable housing compared to the general population.

Contributing Factors:

- An increasing population, due in part to relocation from higher cost communities and expanding commuter transit options
- Insufficient housing units to meet demand, especially at affordable housing levels

Discussion: The City of Everett's housing goal is to: provide sufficient housing opportunities to meet the needs of present and future residents of Everett for housing that is decent, safe, accessible, attractive and affordable. Everett policymakers have however realized that Everett has a housing affordability problem. Incomes are not keeping pace with housing costs, which have increased up to 173% since 1990, while household income has increased just 92%. The gap between income and housing costs places the greatest burden on low-income households. Over 60% of extremely low-income renter households (30% AMI or below) pay more than 50% of their income on housing costs. These households are at risk of becoming homeless. Everett officials and representatives embarked upon a **Rethink Housing** initiative and participated in the Countywide **Housing Affordability Regional Taskforce** (HART) formed in 2019. HART developed a five-year action plan that identifies priorities for county and city governments to accelerate their collective ability to meet the housing affordability needs of all County residents and set a foundation for continued success through 2050. The HART (December 2019 draft) report reveals that the County's low-income housing is being lost to redevelopment and resale, housing supply is not keeping pace with population growth, and the existing housing supply is weighted toward single-family homes which are affordable to fewer households than "middle housing" (e.g., duplexes, townhomes, and smaller scale multifamily properties). Recognizing the intersection of equal housing opportunity and affordable housing, the draft HART report states:

Rapidly rising housing costs result in displacement of households with lower incomes to areas farther from job centers which are typically less well served by services and transportation systems. *As a result of both historic and current practices, communities of color and historically under-served communities are disproportionately impacted by these trends. While we are seeking to improve affordability for all residents, it is important to be mindful of this aspect of our housing affordability challenge.* (Emphasis added). Draft HART Report and Five-Year Action Plan Published January 2020, p. 23.

In 2016, voters approved the extension of light rail service to Everett, which expected to be completed by 2036. Four stations are funded in Everett's planning area: Mariner (128th St SW), SW Everett Industrial Center (Boeing), SR 526 / Evergreen, and Everett Station. A fifth station at SR 99 / Airport Road is "provisional", subject to funding. Everett will need to ensure that low-income protected class households are not disproportionately impacted due to construction displacement or increased neighborhood rental rates.

⁶ "Affordable housing" for purposes of this report means housing that is available to those at or below 100% AMI at a range of price points, that does not cost more than 30% of gross income.

In 2019, Everett also commenced **Rethink Zoning**, a multi-year effort to ensure that Everett's development regulations support efforts to recruit new businesses and secure a wide range of housing opportunities at all price points for people at all economic levels. The Rethink Zoning initiative will consider whether the existing zoning code can accommodate projected growth to 178,339 people by 2043, address the needs of increased non-family households, support expanded transit and the 2036 light rail, how the existing zoning code affects affordability, and whether existing development and use standards can be simplified (particularly with respect to lot size, density limits, maximum building heights, and uses). Current concepts being considered include reducing 10 residential zones to 4 (2 single-family and 2 multi-family (Rethink Zoning, Residential Concept 5-22-19, Rev 6-11-19).

Community Perceptions:

When asked what most concerned survey participants with respect to fair housing opportunity in Everett, of 19 options, two of the same issues made the top three for each of two survey groups (consumer / advocate survey responders and housing provider survey responders):

- rental affordability – cost of rental; and
- rental unit availability – quantity available for rent.

Some community survey participants made comments elaborating on these concerns:

"Rent is too high for income levels"

"availability of affordable homes"

"many affordable housing for seniors keep raising the rent and then it goes up again on the federal side. Seniors are on a fixed income. They can't afford to stay in them. Finding an affordable place is getting harder for them due to the rise in rental rates. Same with Low Income housing. Many cost more than what they are actually worth!"

"Landlords expect the most money they can get via rents. Human nature. As long as housing and shelter can be used as a tool for making money it's always going to be tough for the guys at the bottom of the economic ladder."

Recommended Actions:

- Develop new housing units with long-term affordability for a broad range of low income households with an emphasis on dispersal of affordable housing
- Preserve and increase affordable housing in communities at high risk of displacement
- Work with communities of color to guide investments in historically underserved communities
- Create innovative construction models for affordable housing
- Support efforts to increase housing stability
- Review the zoning code during Rethink Zoning to identify and enact code amendments that will increase housing options and supply
- Provide more housing with prioritization for vulnerable and protected class populations
- Utilize the data and community input gathered during Rethink Housing to inform the 2020 - 2024 Consolidated Plan and future city policies and regulations.
- Pursue HART Report Goal 2: Identify and preserve existing housing at risk of rapid rent escalation or redevelopment, balancing this with the need for more density, and policy and implement regulatory strategy 2.1 (**Protect communities of color, historically underserved**

communities, and low-income communities from displacement by gentrification.... *anti-displacement strategies involve purchasing housing and decoupling it from market pressures.*) and funding strategy 2.3 (**Increase investments in communities of color, historically underserved communities, and low-income communities by developing programs and policies that serve individuals and families at risk of displacement.** *To the extent these communities live on lower cost property, they are often at higher risk of redevelopment — and loss of both their community and their affordable homes. There are a number of related strategies here including community land trusts, cooperation agreements with the Housing Authority of Snohomish County, and other funding mechanisms to facilitate purchase of low-income housing at risk of redevelopment.*)

- Pursue HART Goal 4: Implement outreach and education programs, countywide and within individual jurisdictions, to raise awareness of housing affordability challenges and support for action and implement policy and regulatory strategy 4.1 (**Engage communities of color, historically underserved communities, and low-income communities in affordable housing development and policy decision.** • *These communities are often most in need of low-income housing and most vulnerable to having their existing housing redeveloped or subject to significant rent increases. Cities and housing agencies should use a race and social equity lens and/or racial equity toolkit when making policy decisions regarding low-income housing. Community-based policy development is consistent with the overall philosophy that as elected officials we are here to understand and promote the needs of our residents*)

Impediment 2: Screening and admission policies, including overly restrictive criminal history policies and voucher and public assistance source of income refusal, are barriers to access to housing, and have disparate impacts on people of color, people with disabilities, and veterans.

Contributing Factors:

- Housing providers imposing strict criminal screening criteria
- Housing provides refusing to accept section vouchers and subsidies, and public assistance income sources: source of income discrimination
- High demand and insufficient housing inventory allow increased selective screening

Discussion: Everett residents, who have a criminal history, rely on public assistance or housing choice vouchers to pay rent, have low credit scores, or limited income, face steep barriers to accessing housing. In Snohomish County, black, Native American, and Latinos are jailed and imprisoned at higher rates than whites and Asian and Pacific Islanders. Black people and people with disabilities are overrepresented in the housing choice voucher program, and people with disabilities are disproportionately recipients of social security disability income (SSDI) and supplemental security income (SSI). Veterans are sole recipients of VASH vouchers.

Community Perceptions: One survey responder summed up many obstacles to housing access: “Charging people so much money for every adult applying for the rental. Background checks that screen out anyone with any criminal history. Discrimination against Muslims, people of color, families with a lot of children, and against individuals with Section 8 vouchers. Requiring Deposit/first/last month’s of rent to get into an apartment which can cost over \$6k. Refusing housing to people with bad credit.”

Participants who responded to community surveys identified criminal records screening policies as a barrier to accessing housing. In response to the question, “If you believe that discrimination occurs in the rental of housing, on what bases do you believe that discrimination is most often based on?”, 64% of those who responded to the housing consumer / advocate survey selected criminal history as the most common basis tied with source of income (50% of those responding to the housing provider survey selected criminal history as the fourth most common basis, after source of income, familial status, and race). One survey responder commented, “catch up with Seattle and pass a Fair Chance at Housing Law to strike down criminal background checks used in housing applications.”

Source of income was the top basis that all survey responders selected as to why they believe rental discrimination occurs. Survey participant comments included:

“Landlords are still not accepting Section 8 vouchers, but finding other reasons to deny people with vouchers.”

“Source of income laws are disregarded”

“With the new housing laws in effect about source of income. I have seen a lot of landlords mandate a certain credit score. I myself work in housing and am on housing. I have a decent job and a great renter history. But because of my credit would be denied to most places now.”

Recommended Actions:

- Enact ordinance limiting the extent of criminal history that can be considered during tenancy application screening
- Provide information to housing consumer and providers about Washington Residential Landlord Tenant Act prohibitions on source of income discrimination.

Impediment 3: People of color and Latinx national origin have mortgage loan applications originated at lower rates and denied at higher rates compared to white non-Hispanic applicants, and are more often renters than homeowners.

Contributing Factors:

- Historic steering by real estate agents and racially restrictive covenant
- Racial disparities in median income

Community Perceptions: 54.3% of housing consumer / advocate survey responders and 66.7% of housing provider survey participants believe discrimination in sales occurs occasionally. 25.7% of housing consumer / advocate and 16.7% of housing provider survey responders believe lending discrimination happens commonly; and 48.6% of housing consumer / advocate and 50% of housing provider survey responders believe it occurs occasionally.

Discussion: • *Historic Systems of Racism:* Past systemic, institutionalized, and individual racism determined where people of color could live in the United States, and often there is still evidence of these policies and practices in housing patterns. Segregation was perpetuated by institutionalized policies of redlining by lenders, steering by real estate agents, and inclusion in deeds of racially restrictive covenants by developers. Anecdotal personal accounts in news media confirm that steering occurred in Everett and racially restrictive covenants have been identified in older neighborhoods in Everett. • *Disproportionate Concentrations of Non-White Populations:* People of color in Everett are concentrated in tracts 41809, 41806, 40200, 41904, 41805, 41901, 41701 (all have over 30% non-white populations). Everett has 24 block groups where non-white races exceed 10% of their respective percentages in the general Everett population. Combining all non-white races with Hispanic ethnicity, so that “racial and ethnic minority” is defined as Hispanic and / or a race other than white alone, 34.8% of the 2017 population in Everett was minority. Any Everett block group with greater than 44.8% minority population (10% above 34.8%) has a disproportionate minority concentration. Everett has 6 block groups with non-white populations exceeding 44.8% (ranging 46.6 to 63.5%). • *Home Mortgage Disclosure Data:* In 2018 white non-Hispanic applications for conventional loans in Everett were originated at higher and denied at lower rates than Asian and black applicants (black applications were originated at nearly the same rate as whites, but denied at a much higher rate). White non-Hispanic FHA/FSA/RHS and VA loan applications were also originated at a slightly higher rate and denied at lower rates than Asian applications, and originated and denied with even greater rates of disparity than black applications. American Indian / Alaskan Native and Hawaiian and other Pacific Islanders made very few of either type of loan application. Similar patterns exists in the 2017 and 2018 HMDA data for conventional, refinance, and FHA / FSA / RHS / VA loan applications from the combined Seattle, Bellevue, Everett region, even when races are compared by income level.

Recommended Actions:

- Affirmatively market a range of mortgage lending products and home listings to people of color in Everett.
- Educate real estate brokers and mortgage originators and lenders about complying with fair lending laws.
- Conduct audit testing based on race and national origin to identify unfair lending practices and policies.

Impediment 4: Hispanic and Native American people have lower indexes for measurements of opportunity for low poverty, school proficiency, and labor market, than white non-Hispanic people, and to a lesser extent Asian, Pacific Islanders and black people.

Contributing Factors:

- Historical systemic and institutional racism limited where races could live and their proximity to areas of economic and educational opportunity
- Racial disparities in median income

Discussion: HUD Affirmatively Furthering Fair Housing Tool (AFFH-T) Tables summarize the results by race of seven opportunity indexes: Low Poverty, School Proficiency, Labor Market, Transit, Low Transportation Cost, Jobs Proximity, and Environmental Health. For each category, a higher index rate correlates to higher opportunity. Hispanic and Native American people generally scored lower in low poverty, school proficiency, and labor market indices than white non-Hispanic people, and to a lesser extent Asian, Pacific Islanders and black people. People of color generally have higher transit, low transportation cost, and job proximity indices compared to white households, perhaps reflecting the need to live near public transportation routes and closer to labor opportunities due lower median income constraints. In contrast, white households with higher median incomes may be able to live further from labor opportunity sites and may be less reliant upon public transportation, thereby decreasing their transit, transportation cost, and job proximity indices. Having a higher job proximity however does not correlate with a higher labor market engagement index.

Where one resides also makes a difference for longevity of life. Tract 40900, with the lowest diversity index, has a life expectancy more than 10 year greater than five other tracts in Everett. The overall Snohomish County life expectancy is 80 years, the same as WA State.

Recommended Actions:

- Monitor health indicators, school performance, poverty, and employment rates by census tract and race and national origin to identify areas of decreased opportunity
- Engage people of color on an ongoing basis to better understand barriers and increase access to opportunity.

Impediment 5: People of color are disproportionately represented in the Everett homeless population.

Contributing Factors:

- Historical systems of racial discrimination
- Lack of affordable housing
- Criminal history screening and admission barriers to housing
- Twenty-day no cause tenancy terminations permitted under Washington Residential Landlord Tenant Act

Discussion: During Snohomish County's 2019 Point in Time Count, conducted January 23, 2019, 1116 were counted as homeless (599 unsheltered (243 in Everett) and 517 in emergency shelters or transitional housing). People of color were overrepresented in the counted homeless population: 25.8% of total counted as homeless were persons of color, non-Hispanic, and 18% were Latinx. Of the unsheltered, 21.4% were people of color, non-Hispanic. Of sheltered homeless, 21.7% were black, Asian, American Indian, Alaska Native, Native Hawaiian, Other Pacific Islander, or multiple races. Black people were 7% of those in emergency shelters and 31.5% of those in transitional housing.

Recommended Actions:

- Create local policy changes that benefit extremely low-income households and preserve and stabilize tenancies
- Provide rapid rehousing services to prevent people from becoming homeless.
- Prioritize vulnerable populations, including homeless veterans and people with disabilities for coordinated entry to housing

Impediment 6: The level of compliance with the Fair Housing Act's design and construction requirements for accessible housing in Everett is unknown.

Contributing Factors: Lack of site audits of new multifamily construction for Fair Housing Act compliance

Discussion: The most common type of disability in Everett counted by the US Census Department is ambulatory difficulty, which makes accessible housing especially important in Everett. The Fair Housing Act requires that most multi-family housing with four or more units built since March 1991 meets seven design and construction criteria. Historically, fair housing agencies have not audited newly constructed multi-family properties in Everett; therefore, it is unknown to what extent violations exist. However, given that violations continue to occur in other parts of Washington State, it should not be assumed that Everett is in compliance.

Recommended Actions:

- Conduct site testing to audit the design and construction of new multi-family housing covered by the Fair Housing
- Partner with fair housing agencies, HUD, and professional associations to offer Fair Housing Act design and construction training for city staff, housing developers, architects and builders.

Impediment 7: Discrimination against people with disabilities is the most common basis for fair housing complaints originating from Everett that are filed with HUD and the Washington State Human Rights Commission, and the most common basis for discrimination identified through audit testing.

Contributing Factors:

- An aging population increases the frequency of disabilities
- There are more provisions in the Fair Housing Act regarding individuals with disabilities than other protected classes

Community Perceptions: People who responded to community surveys identified the following examples of discrimination against people with disabilities:

- “Denying rental to disabled individuals to avoid dealing with reasonable accommodation”
- “i am seeing more discrimination and expressed biases for people living with disabilities and mental health. We need more mental health responses too as landlords are not equipped to deal with certain situations.”

Discussion: Discrimination against people with disabilities is the most common basis for fair housing complaints originating from Everett that are filed with HUD and the WA Human Rights Commission (58% of complaints from Everett filed 2011 - 2019). This is in accord with national trends. The high number of disability-related complaints may be due in part to an aging baby-boomer population with increasing disabilities, greater awareness by housing consumers of protections for individuals with disabilities (added to the Fair Housing Act in 1988), and the greater number of provisions in the Fair Housing Act regarding individuals with disabilities (reasonable accommodations, modifications, and design and construction requirements).

The Fair Housing Center of Washington (FHCW) (2011 -2019) conducted seven rental tests based on disability in Everett. Five (71%) showed discrimination. Disability had the highest rates of tests positive for discrimination, both as a percentage of disability tests conducted, and of all tests conducted in Everett. Similarly, the majority of fair housing related inquiries received from Everett by the FHCW, which serves W. WA counties, involved requests for assistance to obtain reasonable accommodations. Reflecting the difficulty of people with disabilities on low fixed disability-related income to easily find alternative housing in a low-vacancy rental market with rising rents, and the lack of financial resources to move personal belongings and pay application fees, security deposits, and first and last month’s rent on a new unit, the largest number of reasonable accommodation requests involved requests for more time to move. Other reasonable accommodation requests involved the need for assistance animals, reserved parking, live-in caregivers, moving to another unit or breaking lease agreements, use of section 8 vouchers, and parking policies.

Recommended Actions:

- Partner with established fair housing agencies and Volunteers of America to provide training to housing providers, medical practitioners, tenants, and social service providers about the process, requirements, and analysis needed to request and respond to a reasonable accommodation request under federal and state fair housing laws.
- Conduct audit testing to identify housing providers that have policies or practices that discriminate against people with disabilities, including refusal to grant reasonable accommodations and modifications.

Impediment 8: There is a lack of awareness of fair housing laws among the public, especially with regards to Washington State protected classes.

Contributing Factors:

- Recent legislation: Sexual orientation and source of income protections were added to WA laws in 2006 and 2018; the last protected classes were added to the Fair Housing Act in 1988.
- Historically, funding for fair housing public service announcements may come primarily from federally funded entities and omitted coverage of state protected classes

Community Perceptions: Of housing provider community survey responders, only 57% identified color, military / veteran, and creed as protected classes, and only 43% chose marital status and source of income as protected classes. Except for color, these are all solely WA state protected classes not included in the federal Fair Housing Act. Only 63% of housing consumer / advocate survey responders identified military / veteran status, 60% identified familial status and sexual orientation, 40% knew that marital status and creed are protected classes, and 37% identified source of income as a protected class. Again, with the exception of familial status, these are all only protected by WA laws.

Just 33.3% of housing consumer / advocate survey responders said they have a good understanding of fair housing laws (compared to 85.7% of housing providers). Housing consumer / advocate survey responders said that property managers, tenants, and landlords are all in need of increased fair housing education (89% each). Housing providers selected the same three groups with the addition of homebuyers as needing fair housing education with response rates of 85.7% for property managers and 71.4% each for tenants, landlords, and homebuyers. Eighty percent of housing consumer / advocate survey responders believe that providing training for those who work with tenants and homebuyers is an effective way get fair housing information to tenants and homebuyers. 71.4% of housing providers and 51.4% of housing consumers / advocates believe that conducting in-person trainings is an effective way to provide fair housing information to tenants and homebuyers. Housing providers selected information tables at community events, recorded webinars, and brochures among their top choices for effective ways to provide fair housing information to tenants, homebuyers, and housing providers (57.1%, 57.1%, and 42.9%). Survey comments also identified social media, public service announcements, and laws requiring mandatory training for renters as other education options.

Recommended Actions:

- Create public awareness of fair housing laws, particularly with respect to Washington State protected classes
- Provide fair housing training for those who work with tenants and homebuyers
- Conduct in-person fair housing trainings for tenants and homebuyers.
- Provide fair housing information at community events, through recorded webinars, and in brochures designed for tenants, homebuyers, and housing providers
- Utilize social media and public service announcements to provide the public with fair housing information
- Coordinate fair housing education and outreach efforts among regional partners with expertise regarding fair housing, including FHCW, VOA, the WSHRC, and HUD.

Impediment 9: Provide fair housing education materials in alternative languages to meet the needs of limited English proficient populations.

Contributing Factors:

- Changing demographics

Community Perceptions: Community survey participants, housing consumers, advocates, and housing providers alike, identified the greatest need for alternate language fair housing education materials in Spanish, Russian, Vietnamese, Arabic, and Korean.

Discussion: Twenty-six percent of the Everett population age five and over speaks a language other than English at home. Eleven percent of the population 5 and over report that they speak English less than “very well.”

Recommended Actions:

- Distribute fair housing education materials in multiple languages throughout Everett, targeting most needed languages by census tract.

COMPARISON TO IMPEDIMENTS TO FAIR HOUSING IDENTIFIED IN 2011

The 2011 Analysis of Impediments to Fair Housing identified the following impediments and recommendations. Relevant comments for 2020 are included under each impediment.

Impediment I: Housing discrimination primarily affects persons of color, immigrants, the disabled, and families with children.

This remains an impediment in 2020.

Between November 2011 and March 2019, 43 complaints filed with HUD and / or the WSHRC originated in Everett (average of 6 per year).

- Disability-based housing discrimination complaints were the most common basis for filing a complaint (58% of all complaints).
- National Origin complaints made up 11.6% of housing discrimination complaints
- Race based complaints were 28% of housing discrimination complaints
- Familial Status complaints were 9.3% of housing discrimination complaints

FHCW conducted rental testing in Everett November 2011 through October 2019. The following are the results of 20 tests conducted. Eleven tests (55%) showed discrimination.

- Seven (35% of all tests conducted) were based on disability; of these, 5 showed discrimination (71% of disability tests conducted). Disability had the highest rates of tests positive for discrimination, both as a percentage of disability tests conducted, and of all tests conducted in Everett.
- Five tests were conducted based on national origin. Three (60 % of national origin tests conducted) showed discrimination, and two did not show discrimination.
- Six familial status test were conduct. Three (60%) showed discrimination, two did not, and one was inconclusive.

Impediment II: Seattle-Bellevue-Everett Metropolitan Division (MD) lending institutions deny more loans to Hispanics and African Americans. **This remains an impediment in 2020.**

Impediment III: There is a lack of fair housing knowledge among Everett officials, residents, and housing providers. **This remains an impediment in 2020.**

The following fair housing activities were recommended in 2011 to reinforce current fair housing efforts:

Recommendation I: Develop a Fair Housing Action Plan.

This remains a recommendation for 2020. Activities undertaken to reduce barriers to fair housing should be reported in the annual Consolidated Annual Performance and Evaluation Report (CAPER)

Recommendation II: Strengthen Education and Outreach Efforts.

This remains a recommendation for 2020

Recommendation III: Consider Implementing Enforcement Activities.

This remains a recommendation for 2020

Recommendation IV: Target homeownership and lending marketing to African American and Hispanic households. **This remains a recommendation for 2020**

Recommendation V: Continue to Support the Development of Affordable Housing.

This remains a recommendation for 2020

Additional Considerations for the Jurisdiction

➤ **Consideration for the Jurisdiction:** Chapter 9.22 of the Municipal Code prohibits housing discrimination based on race, color, religion, and ancestry or national origin. Originally enacted in 1974, Everett's law does not include three other classes protected by the federal Fair Housing Act pursuant to legislative amendments in 1974 and 1988: sex, disability, and familial status. It also does not protect marital status, sexual orientation, veteran / military status, or creed, which are protected by the Washington Law Against Discrimination.

➤ **Consideration for the Jurisdiction:** Everett adopted the International Building Code (IBC), published by the International Code Council, Inc., as adopted by the WA State Building Code Council in Ch. 51-50 WAC. EMC 16.005.030. The Everett ordinance includes the automatic adoption of the most recent State Building Code amendments. Effective 7/1/20, WA has adopted the 18th ed. of the IBC. WAC 51-50-003. HUD has not yet recognized the 2018, 2015, 2012, and 2009 eds. of the IBC, which incorporate 2009 ANSI A117.1, as safe harbors. On 1/21/20, HUD published a proposed rule to adopt as additional safe harbors the 2009 ed. of International Code Council (ICC) Accessible and Usable Building and Facilities (ICC A117.1-2009) and the 2009, 2012, 2015 and 2018 eds. of the IBC. Until a final rule adopts additional safe harbors, to the extent there are any material variations between the newest IBC and the 2006 IBC safe harbor, care should be taken by developers, architects, contractors, and engineers to ensure that new multi-family housing is designed and constructed in compliance with the Fair Housing Act.

➤ **Consideration for the Jurisdiction:** To avoid imposing unfair housing barriers on children and people with disabilities, a best practice in defining occupancy for zoning purposes is to use a maximum occupancy restriction, rather than a defined "family" composition regulation.

II. THE LAW

A. Federal Fair Housing Act (FHA)

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)⁷, as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability) (“protected classes”). The FHA prohibits both intentional discrimination and policies and practices that have an adverse disparate impact upon protected classes.

1. Prohibitions

Fair Housing Act prohibitions include:

- Refusing to rent based on protected class
- Falsely represent that a dwelling is unavailable
- Imposing different rental charges
- Discriminatorily evicting tenants
- Using different qualification criteria or standards
- Discriminating in terms, conditions, or privileges of a rental based on protected class:
 - Using different provisions in leases
 - Failing to make or delaying repairs
 - Failing to process an application for rental
 - Limiting use of privileges, services or facilities
- Attempting to restrict housing choice through segregated housing patterns.
- Steering persons by discouraging them from rental, or exaggerating the drawbacks of living in a neighborhood, or communicating that the person wouldn’t be compatible with the residents
- Assigning persons to certain buildings or floors or developments
- Discharging or taking adverse action against an employee because he or she refused to participate in discriminatory acts
- Conduct that otherwise makes housing unavailable
- Representing that discriminatory deed or covenant provisions will preclude a rental
- Enforcing discriminatory deed or covenant restrictions
- Providing false or misleading information about availability to testers
- Making, printing, or publishing a notice, statement, or advertisement indicating a preference, limitation or discrimination
- Using words, phrases, photos or symbols that convey a preference or limitation.
- Expressing a preference to an agent or broker
- Selecting media or locations for advertising in order to attract only certain people
- Refusing to publish ads or requiring different charges
- Retaliating against someone for filing a fair housing complaint, exercising a fair housing right, or being a witness in a fair housing proceeding

⁷ 42 USC 3610, *et seq.*

2. Covered Dwellings

Dwellings covered by the Fair Housing Act include:

- Any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families;
- Any vacant land offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

3. Exemptions

Single-family dwellings are exempt from the FHA, if:

1. The owner owns 3 or less single-family houses;
2. The dwelling is sold or rented without the use of a real estate broker, or agent;
3. There has been no violation of Section 804(c) of the Act (discriminatory statements and advertising); and
4. If the owner does not reside in the dwelling at time of sale or is not the most recent resident prior to sale, the exemption applies to only one sale within 24-month period.

The FHA also exempts rooms or units in dwellings containing living quarters occupied or intended to be occupied by four or less families living independently of each other, if the owner maintains and occupies one of the living quarters as a residence. This exemption does not apply to the prohibition against discriminatory advertising.

4. Protections for Individuals with Disabilities

The Fair Housing Act (FHA) was amended in 1988 to include protections for individuals with disabilities (“handicap is used in the FHA, but “disability” has come into usage as a preferred term). It is unlawful to discriminate in rental or to otherwise make unavailable or deny a dwelling to any renter because of a handicap of:

- That renter,
- A person residing in or intending to reside in that dwelling after it is rented or made available,
- Or any person associated with that renter.

“Handicapped” means:

- a physical or mental impairment which substantially limits one or more of such person’s major life activities;
- a record of having such an impairment; or
- being regarded as having such an impairment.

Discrimination based on disability includes:

- Refusing to make reasonable accommodations in rules, policies, practices or services
- Refusing to allow a person with a disability to make reasonable modifications
- Failing to meet disability design and construction access requirements

A reasonable accommodation is a change, adaptation or modification to a policy, program or service, which will allow a person with a disability to use and enjoy a dwelling. An accommodation request must be granted when a person has a disability, there is a nexus between the disability and the accommodation requested, and the accommodation is reasonable. To prove that an accommodation is necessary, a person must show that, but for the accommodation, they likely will be denied an equal opportunity to enjoy the housing of their choice. *Giebeler v. M&B Assocs.*, 343 F.3d 1143, 1155 (9th Cir. 2003). An accommodation need not be granted if it would pose an undue financial and administrative burden on the housing provider (considering cost, financial resources of housing provider, benefits of the accommodation to tenant, and availability of alternative accommodations); or if it would fundamentally alter the nature of the housing provider's operations.

5. Familial Status

The Fair Housing Act Amendments of 1988 included a prohibition of discrimination based on "familial status," which protects households that include one or more children under 18, and that child's parent, guardian, or other person with custody as a result of the written permission of the parent or guardian. The definition is broad and encompasses most extended family relationships. Pregnant women are also protected, as well as persons who are seeking to obtain legal custody of a child under age 18. While the FHA does not prohibit discrimination based on marital status, it does prohibit discrimination against single parents, divorced custodial parents, or those who have a child born out of wedlock.

Forms of familial status discrimination include:

- Adults only policies
- Refusal to renew lease because of a minor child
- Age segregated units based on age
- Charging higher rents or security deposits based on presence or number of children
- Advertising: *e.g.* "no children"
- Discouraging families from renting
- Excessive rent surcharges that lack adequate justification
- Unreasonable occupancy standards

The FHA was amended by the Housing for Older Persons Act of 1995 to allow a community that qualifies as housing for older persons to refuse to rent or sell to families with children provided it continues to meet certain requirements. There are three ways to qualify as housing for older persons:

- Housing provided under any state or federal program the Secretary determines is specifically designed and operated to assist elderly persons;
- Housing intended for and solely occupied by persons 62 or older, private or assisted;
- Housing for persons age 55 and older. At least 80% of occupied units must have one person 55 or older; must publish and adhere to policies and procedures that demonstrate intent to be housing for persons 55 and over; and must comply with procedures specified by the Secretary for verification of age of occupants by reliable surveys.

B. Washington Law Against Discrimination (WLAD)

The Washington Law Against Discrimination (WLAD)⁸, like the FHAct, prohibits discrimination in housing on the basis of race, color, national origin, sex, disability, and familial status, and additionally on the basis of creed, sexual orientation (including gender expression / identity), marital status, honorably discharged veteran or military status, the presence of any sensory, mental, or physical disability (unlike the FHA, the WLAD protects temporary and mitigated disabilities), the use of a trained dog guide or service animal by a person with a disability, and retaliation for opposing an unfair practice.

The WLAD is substantially equivalent to the federal Fair Housing Act. Amendments were made to the WLDA in 1993 to reflect major amendments to the federal fair housing law made in 1988. These changes added prohibitions against discrimination on the basis of disability and the status of being a family with children. There are, however, a few significant differences between the federal FHA and the WLAD. The WLAD includes four additional protected classes: creed (rather than religion), marital status, sexual orientation, and honorably discharged veteran or military status. Similarly, even if a dwelling is exempt under one of the FHA exemptions, the WLAD only exempts such dwellings from the requirements to make reasonable accommodations and modifications for people with disabilities. The WLAD was amended most recently by the Washington Legislature in 2018 to clarify that its narrow definition of “service animal” (a dog or miniature horse, individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability), a definition similar to that in the Americans with Disabilities Act (ADA) regulations, applies only in Washington employment and public accommodation settings, not to housing accommodations or real estate transactions.

⁸ RCW 49.60.

C. WA Residential Landlord Tenant Act – Source of Income Protection

Source of income discrimination was prohibited by a 2018 WA state legislative amendment to the WA Residential Landlord Tenant Act (RLTA)⁹, which took effect on September 30, 2018. It applies to all landlords covered by the WA RLTA, and unlike the FHA and WLAD, does not have exemptions for small landlords.

“Source of income” includes benefits or subsidy programs including: housing assistance, public assistance, emergency rental assistance, veterans benefits, social security, supplemental security income or other retirement programs; and other programs administered by any federal, state, local, or nonprofit entity. Income derived in an illegal manner is not protected.

A landlord may not refuse to rent based on source of income of an otherwise eligible prospective or current tenant unless: the source of income is conditioned on the property passing inspection; a written estimate of the cost of improvements necessary to pass inspection is more than \$1,500; and the landlord has not received moneys from the landlord mitigation program account (established by the WA Legislature in 2018 and administered by the WA Department of Commerce) to make the improvements. If a landlord requires a certain threshold level of income, any source of income in the form of a rent voucher or subsidy it must be subtracted from the total of the monthly rent prior to calculating if the income criteria have been met.

Like the FHA and WLAD prohibitions with respect to their protected classes, the RLTA prohibits the following practices, if based on source of income:

- Expel from real property;
- Make any distinction, discrimination, or restriction in price, terms, conditions, fees, or privileges relating to the rental, lease, or occupancy of real property or in the furnishing of any facilities or services in connection with the rental, lease, or occupancy of real property;
- Attempt to discourage the rental or lease of real property;
- Assist, induce, incite, or coerce another person to commit an act or engage in a practice that violates this section;
- Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed or having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected under this section;
- Represent that a dwelling unit is not available for inspection or rental when the dwelling unit in fact is available for inspection or rental; or
- Otherwise make unavailable or deny a dwelling unit that, but for source of income, would be eligible to rent;
- Publish, circulate, issue, or display, or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, or sign of any kind relating to the rental or lease of real property that indicates a preference, limitation, or requirement based on any source of income.

⁹ RCW 59.18.255.

D. Everett Municipal Code

Everett has enacted a housing discrimination ordinance¹⁰:

It is the policy of the city, in the exercise of its police power for the public safety, public health, and general welfare, for the maintenance of business and good government and for the promotion of the city's trade, commerce and manufacture, to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, ancestry or national origin, and to that end to prohibit discrimination in housing by any person, including real estate brokers, real estate salesmen and agents, owners of real property and lending institutions.

EMC 9.22.010 Declaration of policy.

Chapter 9.22 of the Municipal Code prohibits housing discrimination based on race, color, religion, and ancestry or national origin.

➤ **Consideration for the Jurisdiction:** Originally enacted in 1974, Everett's law does not include three other classes protected by the federal Fair Housing Act pursuant to legislative amendments in 1974 and 1988: sex, disability, and familial status. It also does not protect marital status, sexual orientation, veteran / military status, or creed, which are protected by the Washington Law Against Discrimination.

Any person who violates the provisions of the ordinance shall upon conviction be fined up to \$500.00, imprisoned for up to six months, or both. 9.22.150 (Ord. 293-74 § 2 (part), 1974; prior code § 6.68.150)

Key definitions include:

- "Discriminate" or "discrimination": includes any difference in treatment in the sale, lease, rental, or financing of housing units or housing accommodations because of race, color, religion, ancestry or national origin;
- "Housing accommodation": includes any dwelling or dwelling unit, rooming unit, rooming house, lot or parcel of land in the city which is used, intended to be used, or arranged or designed to be used as, or improved with, a residential structure for one or more human beings;
- "Housing unit" or "dwelling unit":
 - A single room or suite of rooms, or an apartment or a dwelling, occupied or intended for occupancy as separate living quarters by an individual, by a family, or by a group of individuals living together, or
 - A parcel of real property or a lot available for construction of a housing or dwelling unit

Ch. 9.22.020.

The Everett ordinance specifically excludes from coverage the renting, subrenting, leasing or subleasing of single family or duplex unit(s)

- wherein the owners or persons entitled to possession thereof normally maintains, or intends to maintain, his residence, home or abode; or

¹⁰ Everett Municipal Code, Ch. 9.22 (Prior code § 6.68.020), Discrimination In Housing,
<https://www.codepublishing.com/WA/Everett/html/Everett09/Everett0922.html>

- which is or is intended to be the usual and normal residence, home or abode of the owner thereof or the renting, subrenting, leasing or subleasing thereof, either on a temporary basis or casual basis and not the principal reason for the acquisition of the rental unit.

Ch. 9.22.040.

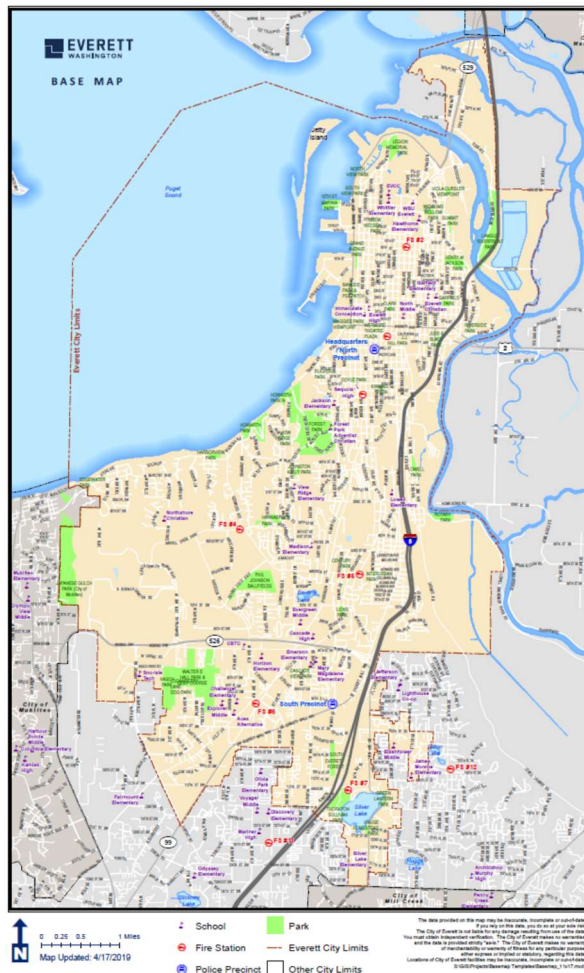
The ordinance makes it unlawful, because of race, color, religion, ancestry or national origin, for:

- any person including real estate broker or real estate salesman or agent:
 - to refuse to sell, lease, sublease, rent, assign or otherwise transfer,
 - to refuse to negotiate for the sale, lease, sublease, rental, assignment or other transfer of the title, leasehold, or other interest in any housing unit to any person, or
 - to represent that a housing unit is not available for inspection, sale, lease, sublease, rental, assignment or other transfer, when in fact it is so available, or
 - otherwise to deny or withhold any housing unit from any person. 9.22.060.
- any real estate broker or real estate salesman or agent:
 - to include in the terms, conditions or privileges of any sale, lease, sublease, rental, assignment or other transfer of any housing unit, any clause, condition or restriction discriminating against any person in the use or occupancy of the housing unit (9.22.080); or
 - to discriminate in the furnishing of any facilities or services for any housing unit (9.22.100).
- any owner:
 - to refuse to sell, lease, sublease, rent, assign, or otherwise transfer the title, leasehold or other interest in any housing unit which is part of a housing accommodation, to any person, or otherwise to deny or withhold the housing unit from any person (9.22.070);
 - to include in the terms, conditions, or privileges of the sale, lease, sublease, rental, assignment or other transfer of the housing unit, which is part of a housing accommodation, any clause, condition or restriction discriminating against any person in the use or occupancy of the housing unit (9.22.090); or
 - to discriminate in the furnishing of any facilities or services for a housing unit, which is part of a housing accommodation (9.22.110)
- any lending institution to discriminate in lending money, guaranteeing loans, accepting mortgages, or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, housing repair or maintenance of any housing units or housing accommodation, because of race, color, religion, ancestry or national origin. 9.22.120
- any real estate broker, real estate salesman or agent, owner, or any other person, or any lending institution to publish or circulate, or to cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application for the purchase, lease, rental, or financing of housing, or to make any record or inquiry in connection with the prospective purchase, rental or lease of housing that expresses directly or indirectly any limitation, specification or discrimination as to race, color, religion, ancestry or national origin or any intent to make any such limitation, specification or discrimination. 9.22.130.
- any person whether or not a real estate broker, real estate salesman or agent, owner or lending institution to aid, incite, compel, coerce or participate in the doing of any act declared by this chapter to be an unlawful housing practice. 9.22.140.

III. JURISDICTIONAL BACKGROUND DATA

The City of Everett is located in Snohomish County, in northwest Washington State, between Puget Sound and the Cascade Mountains. Everett is located 25 miles north of Seattle. It is the largest city in Snohomish County and the seventh-largest city in Washington. Everett is located at the mouth of the Snohomish River along Port Gardner Bay, an inlet of Possession Sound, which is part of Puget Sound.

MAP 1 – City of Everett



The Puget Sound peninsula is the ancestral land of the Snohomish, Snoqualmie, Skagit, Suiattle, Samish and Stillaguamish Tribes and allied bands. The Peninsula has been inhabited for over 10,000 years. Prior to white settlers arriving in the area, Hibulb (or Hebolb), the main village of the Snohomish tribe was located in the northwest portion of the peninsula. On June 4, 1792, George Vancouver landed south of Hibulb and claimed the area for the King of England. Hudson's Bay Company traders came through the area in 1824. The Washington Territory was created in 1853, the same time as the first white settlers built a sawmill on Tulalip Bay across from Hibulb.¹¹ The January 22, 1855 Treaty of Point Elliott and Executive Order of President U.S. Grant dated December 23, 1873, created The Tulalip Reservation, northwest of Everett, where many members of these Tribes and bands live today.¹² The reservation created by the Treaty of 1855 included the area with the sawmill on Tulalip Bay, so the settlers abandoned its operation. White settlers continued arriving on the Peninsula to harvest timber, setting up logging camps.

Source: <https://everettwa.gov/DocumentCenter/View/19039/Basemap>

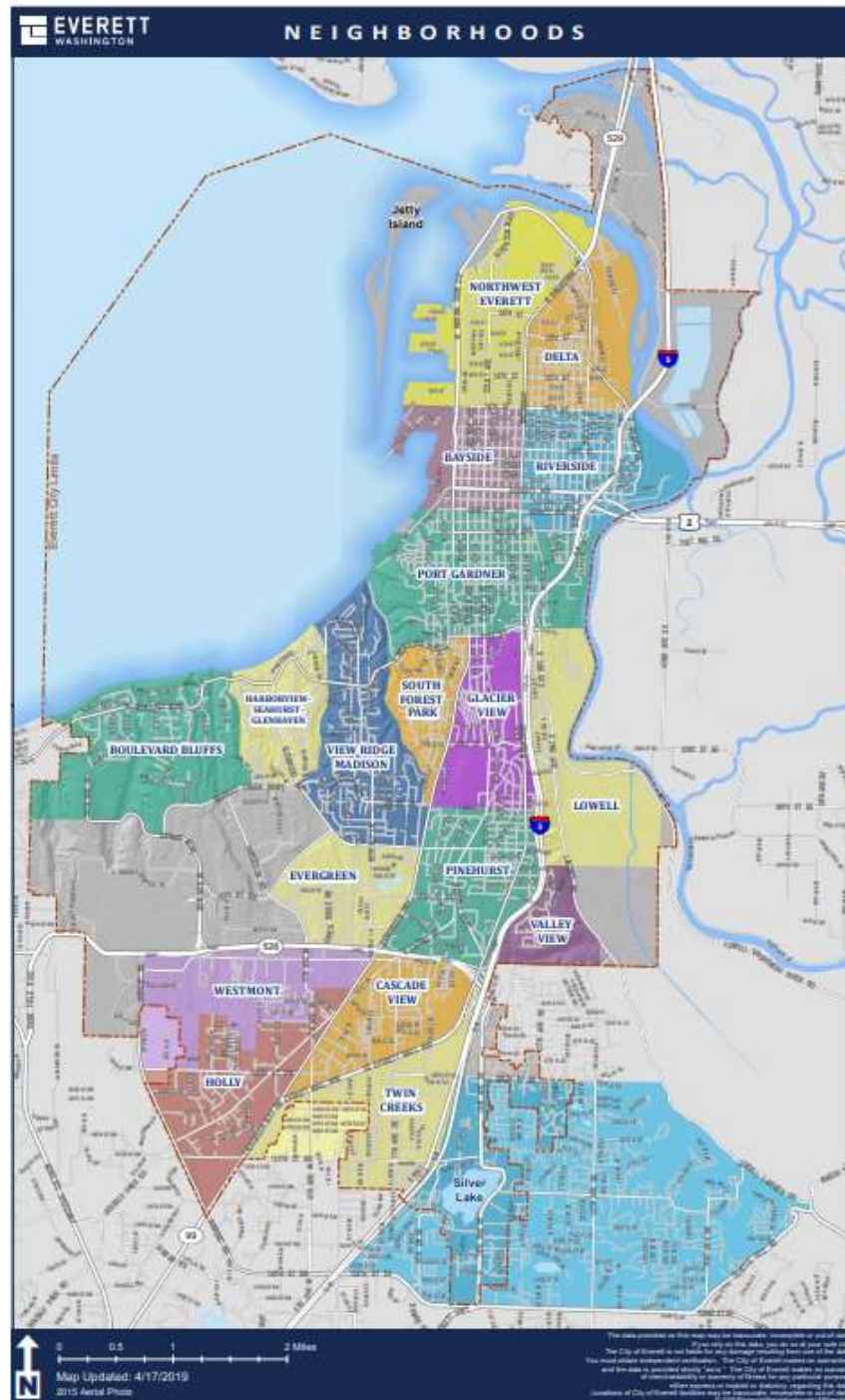
Everett was incorporated in 1893. Everett's economy transitioned from lumber to aviation with the construction of the Boeing aircraft assembly plant at Paine Field in 1967. Boeing remains the largest employer in Everett, along with the U.S. Navy, which has operated Naval Station Everett since 1992. Everett has also become a commuter city for people who work in Seattle, as the cities are connected by Interstate 5 and public transit services at Everett Station, including the Sounder commuter train, Amtrak, and commuter buses.

¹¹ <https://www.historylink.org/file/7397>

¹² <https://www.tulaliptribes-nsn.gov/WhoWeAre>

Everett has 19 distinct neighborhoods: Bayside, Boulevard Bluffs, Cascade View, Delta, Evergreen, Glacier view, Harborview-Seahurst Glenhaven, Holly, Lowell, Northwest, Pinehurst-Beverly Park, Port Gardner, Riverside, Silver Lake, South Forest Park, Twin Creeks, Valley View, View Ridge Madison, and Westmont.

MAP 2 - EVERETT NEIGHBORHOODS



Source: <https://everettwa.gov/DocumentCenter/View/17789/4-16-19-Everett-Neighborhoods-Map-11x17?bidId=>

A. DEMOGRAPHICS

1. Total Population

Everett has an estimated 111,262 people. Its population increased by 8,192 from 2010 to 2018, a 7.9% change, which is a lower rate than for the County or the State of Washington for the same period.

| Table 1: Population 1990-2018 | | | | | |
|---------------------------------------|-----------|-----------|---------|-----------|---------|
| Location | | | Change | 2018 | Change |
| | 2000 | 2010 | 2000-10 | Estimate | 2010-18 |
| Everett | 91,488 | 103,070 | 12.7% | 111,262 | 7.9% |
| Snohomish County (without Everett) | 514,536 | 610,226 | 18.6% | 703,639 | 15.3% |
| Washington | 5,894,121 | 6,724,540 | 14.1% | 7,535,591 | 12.1% |

Source: US Census

2. Sex and Age

Just under half (48.5%) of the Everett population is female, which is 1.3% less than the percent of females in Snohomish County (49.8%) and 1.5% less than the percentage of females in WA (50%). (US Census Bureau, Est., July 1, 2018)

The median age in Everett County is 36 years, which is 2 years less than the County and State median ages. The median age in Everett increased by one year since 2010, following regional and national trends of aging populations. Table 2.

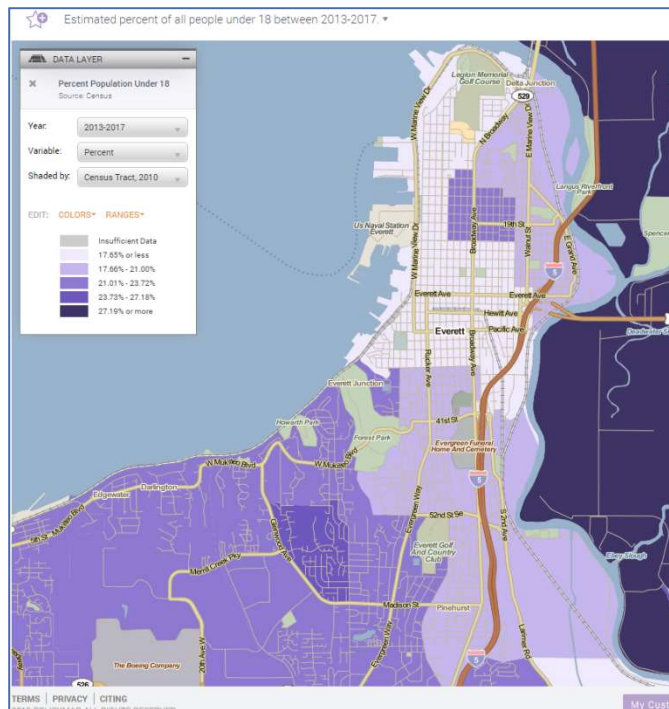
| Table 2: Median Age | | |
|---------------------|--------|------|
| LOCATION | CENSUS | |
| | 2010 | 2018 |
| Everett | 34.4 | 36 |
| Snohomish County | 37.1 | 38 |
| Washington | 37.3 | 37.7 |
| United States | 37.2 | 38.2 |

Source: US Census

| Table 3: Age Range 2018 Estimates | | | |
|-----------------------------------|-------|-------|-------|
| Location | Range | | |
| | <18 | 18-64 | 65+ |
| Everett | 22.1% | 66.8% | 11.1% |
| Snohomish County | 22.6% | 63.9% | 13.5% |
| Washington | 22.1% | 62.5% | 15.4% |
| United States | 22.4% | 61.6% | 16% |

Source: US Census

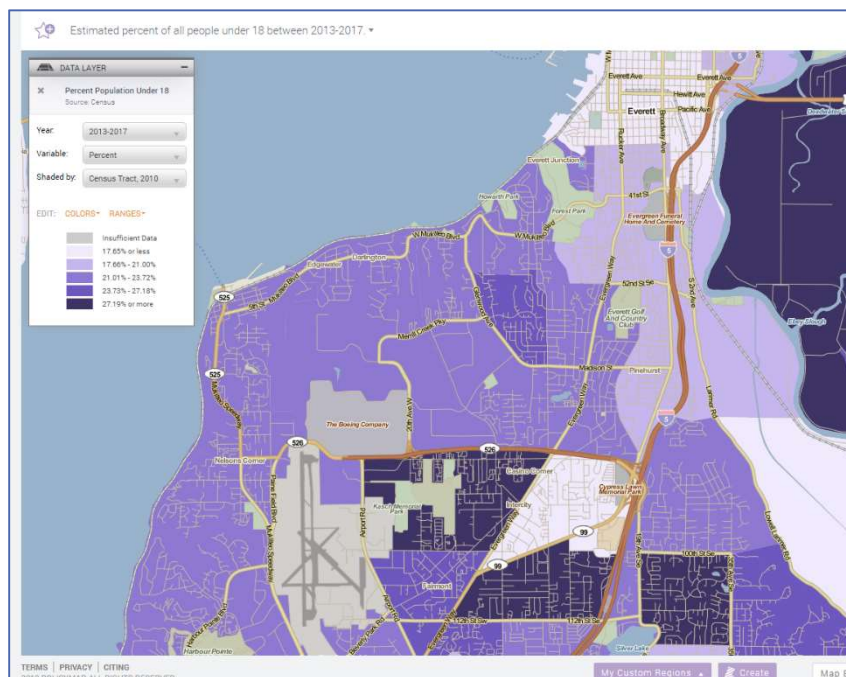
Twenty-two percent of Everett's population is under the age of 18, similar to County, State, and national rates. Tract 41201 has a higher rate of children under 18 (25%), and 3 other tracts have rates of more than 27%. See Maps 3 and 4.



MAP 3 – CHILDREN UNDER AGE 18

Tract 41201 on Map 2 (second darkest purple) has more than 25.23% people under age 18.

Source: <https://www.policymap.com/maps>

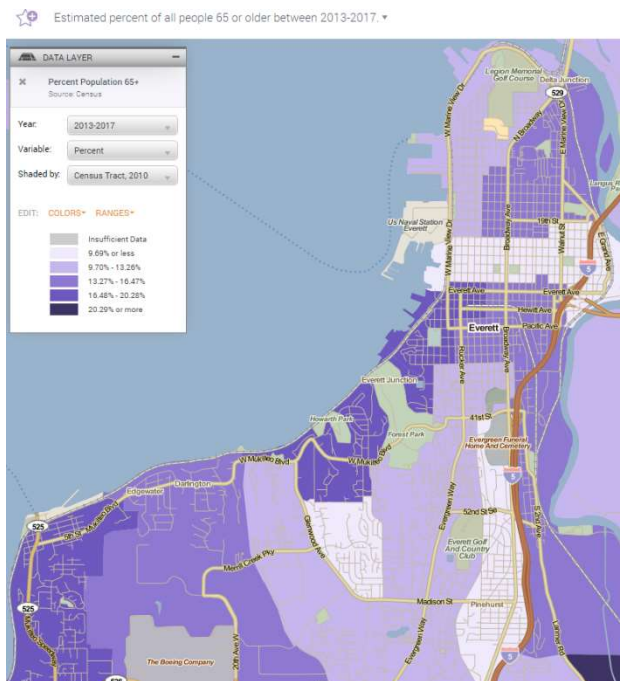


MAP 4 – CHILDREN UNDER AGE 18

Tracts with darkest purple have more than 27% people under age 18.

Source: <https://www.policymap.com/maps>

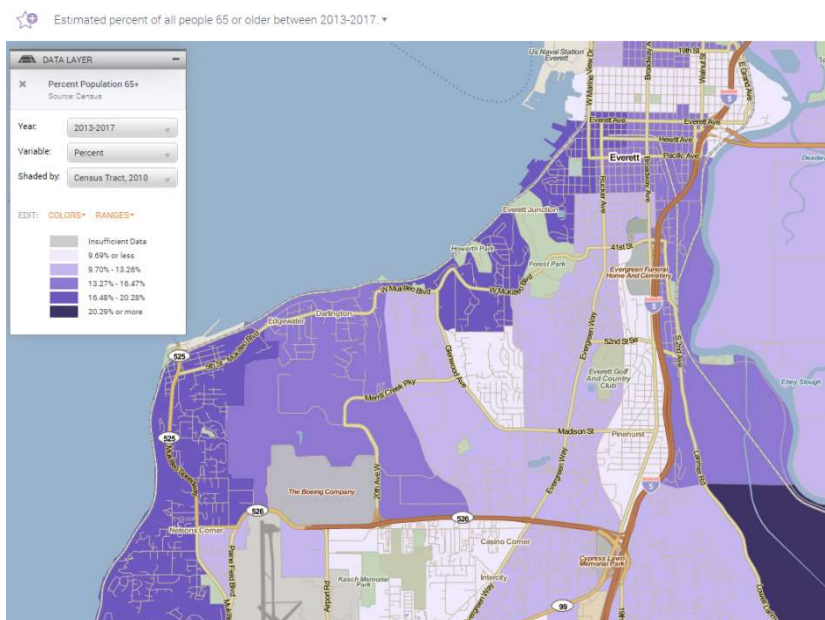
Everett has a higher percentage of people ages 18 to 64 (66.8%), and a lower percentage of people aged 65 years or older (11%), compared to the County, State, and nation. See Maps 5 and 6 for percentages of people over 65 by tract. The darkest areas in Everett had 16.48 to 20.28% of the population 65 or older between 2013 and 2017.



MAP 5

PEOPLE AGE 65 OR OLDER

Source: <https://www.policymap.com/maps>



MAP 6

PEOPLE AGE 65 OR OLDER

Source: <https://www.policymap.com/maps>

3. Households and Household Composition

Everett has significantly more non-family households (44.4%) than the County or State (31.6% and 35.3%), and a corresponding lower percentage of family households (55.6%) compared to the County (68.4%) and State (64.7%).

| Table 4: Types of Households 2013-2017 | | | | | | |
|--|---------|--------|---------|---------|-----------|-----------|
| Types of Households | Everett | | County | | WA | |
| Total households | 42,652 | | 284,477 | | 2,755,697 | |
| Family households | 55.6% | 23,723 | 68.4% | 194,472 | 64.7% | 1,782,539 |
| % of total households with related children of householder <18 | 28% | 11,950 | 33.1% | 94,270 | 30.5% | 839,963 |
| Non-family households | 44.4% | 18,929 | 31.6% | 90,005 | 35.3% | 973,158 |
| % of non-family households living alone (single person) | 79% | 14,953 | 75.5% | 67,956 | 76.6% | 745,842 |
| % of all households living alone age 65+ | 11.2% | 4,765 | 8.7% | 24,704 | 9.8% | 271,183 |

Notes: The US census includes same sex couples without related children or other related family members in non-family households.

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

4. Race and Ethnicity

The population of Everett is predominantly white. Of the total population, 74.8% are white, 8.7% are Asian, 4.2% are black or African American, 1% are American Indian or Alaska Native, 1.3% are Native Hawaiian or Other Pacific Islanders, 3.5% identify as another race, and 6.5% have two or more races.

Black / African Americans and Asians both have higher population percentages in zip codes 98204 and 98208.

Alaska Native and American Indians have the highest percentages in zip codes 98201 and 98203.

Native Hawaii and Pacific Islanders have higher population percentages in 98201 and 98204.

With the higher percentages of Black and Asian populations, zip code 98204 has the lowest percentage of white people at 61.2%. See Table 5.

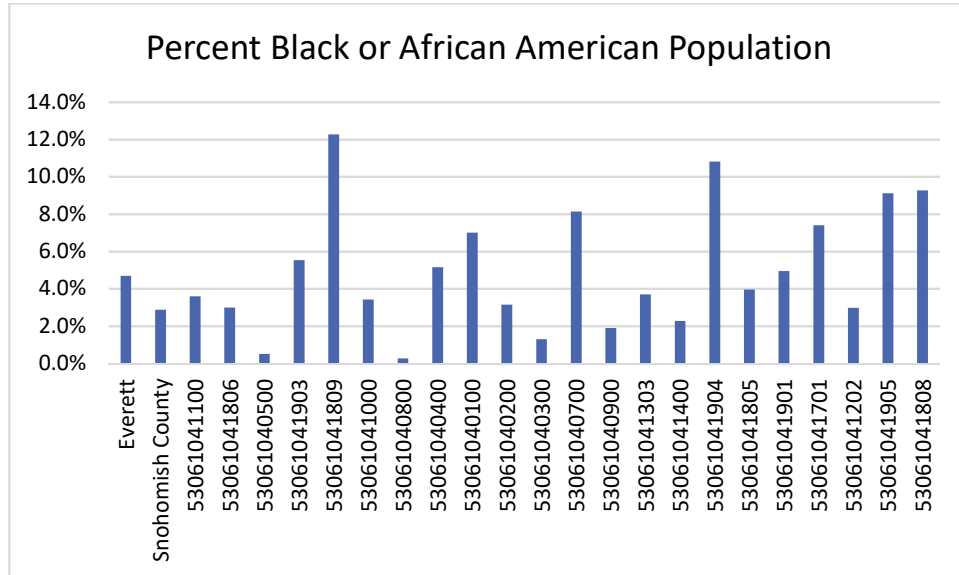
| Table 5: Race 2013-2017 | | | | | | | | | | | | | | | |
|-------------------------|--------|------|--------------------------|-----|--------------------------------|-----|-------|------|------------------------------------|-----|-----------------|-----|-------------------|-----|------------|
| Zip Code | White | | Black / African American | | Alaska Native/ American Indian | | Asian | | Native Hawaii and Pacific Islander | | Some Other Race | | Two or more races | | Total Pop. |
| | Pop. | % | Pop. | % | Pop. | % | Pop. | % | Pop. | % | Pop. | % | Pop. | % | Pop. |
| Everett | 80,488 | 74.8 | 4494 | 4.2 | 1107 | 1 | 9359 | 8.7 | 1379 | 1.3 | 3718 | 3.5 | 7015 | 6.5 | 107560 |
| 98201 | 22,912 | 79.7 | 944 | 3.3 | 407 | 1.4 | 1,649 | 5.7 | 490 | 1.7 | 624 | 2.2 | 1,734 | 6.0 | 28,750 |
| 98203 | 27,927 | 79.8 | 902 | 2.6 | 430 | 1.2 | 2,551 | 7.3 | 455 | 1.3 | 442 | 1.3 | 2,301 | 6.6 | 35,008 |
| 98204 | 25,200 | 61.2 | 3,650 | 8.9 | 315 | 0.8 | 4,956 | 12.0 | 566 | 1.4 | 3017 | 7.3 | 3,442 | 8.4 | 41,146 |
| 98208 | 42,725 | 73.6 | 2,413 | 4.2 | 323 | 0.6 | 6,731 | 11.6 | 404 | 0.7 | 1841 | 3.2 | 3,593 | 6.2 | 58,030 |

Note: Some zip codes include areas beyond Everett's borders, therefore the total population of combined zip codes exceeds Everett's population.

Source: 2013-2017 ACS.

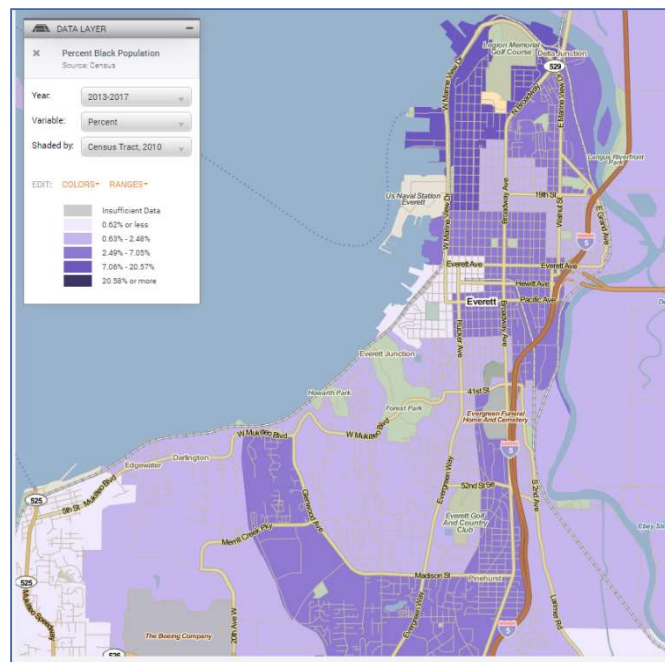
Black people are 4.7% of the Everett population, a higher percentage than the County (2.9%). Tracts 41809 and 41904 have significantly higher percentages of black people: 12.3% and 10.8% respectively. The darkest areas on Maps 7 and 8 have the highest concentrations of black people in Everett (7.06 – 14.74%).

Chart 1



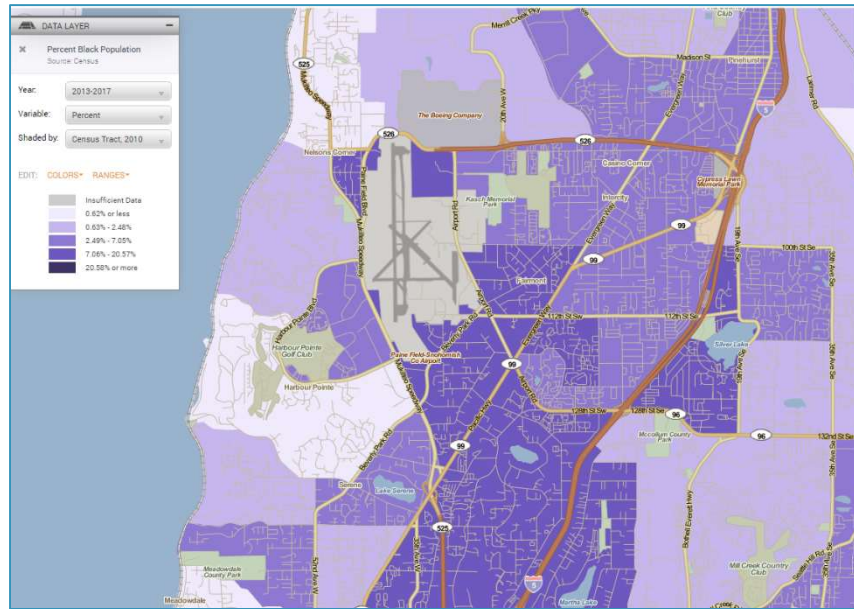
Source: 2014-2018 American Community Survey

**MAP 7 – BLACK POPULATION
2013-2017**



Source: <https://www.policymap.com/maps>

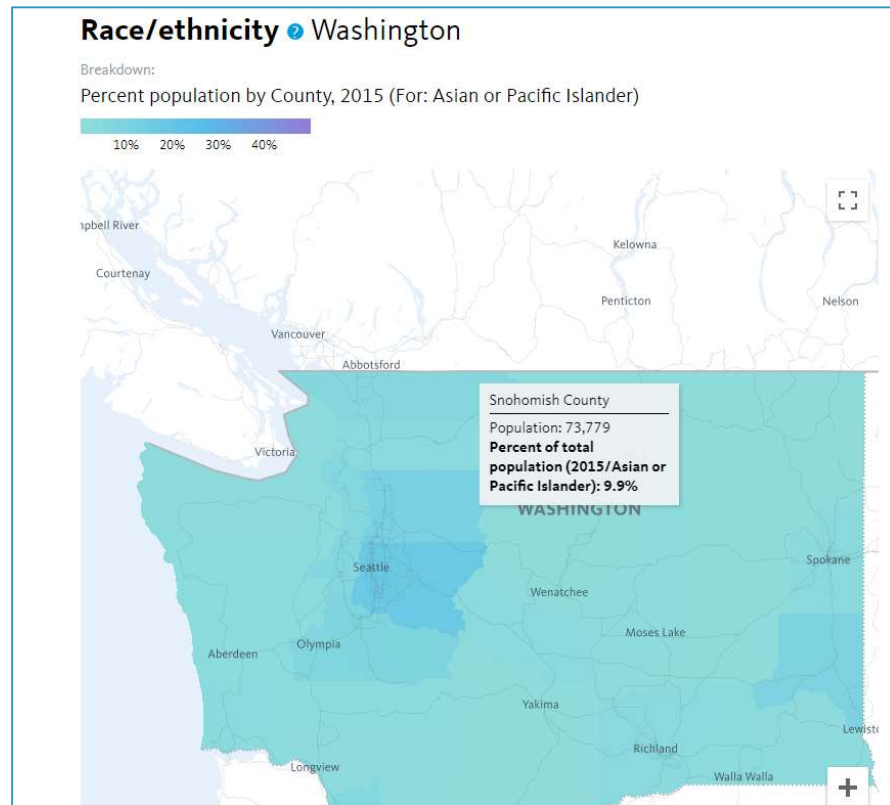
**MAP 8 – BLACK
POPULATION
2013-2017**



Source: <https://www.policymap.com/maps>

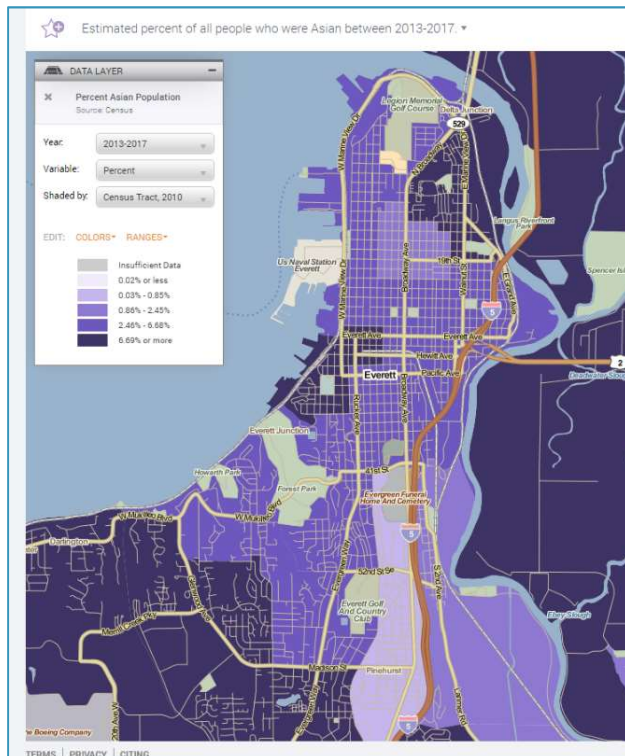
MAP 9 - ASIAN / PACIFIC ISLANDER POPULATION

Snohomish County, along with the Counties on the I-5 corridor, and a region in the Southeast, have higher percentages of Asian and Pacific Islander people than the rest of the state.



Source:

https://nationalequityatlas.org/indicators/Race~ethnicity/Percent_population:41391/Washington/false/geotype:county/geo_parents.state:53/value1:2015/value2:4/



MAP 10 – ASIAN POPULATION 2013-2017

The darkest areas on Map 10 have the highest concentrations of Asian people in Everett, ranging from .39% in tract 53061041400 (Glacier View) to 14.68% in tract 530610440200 (Delta)

Source: <https://www.policymap.com/maps>

NATIVE AMERICAN POPULATIONS

Only 1% of the Everett population is Alaska Native or American Indian, but two tracts have over 4%. See Table 6. Much higher percentages are located north of Everett, within the Tulalip Reservation.

Table 6

| Estimated percent of all people who were American Indian or Alaskan Native 2014-2018 | | | | | |
|---|----------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| | Everett, WA | 53061041100 (Census Tract) | 53061041400 (Census Tract) | 53061040700 (Census Tract) | 53061040400 (Census Tract) |
| Percent American Indian or Alaskan Native Pop. | 1.03% | 2.03% | 5.04% | 4.71% | 1.05% |

Source: PolicyMap, 2014-2018 ACS

MULTI-RACIAL POPULATION

After Asians, people who identify as more than one race make up the second largest non-white population in Everett (6.2%).

Table 7

| Estimated percent of all people who were of "two or more races" 2014-2018 | | | | | | | | | |
|--|----------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| | Everett, WA | 530610 41100 (Census Tract) | 530610 41806 (Census Tract) | 530610 41303 (Census Tract) | 530610 40500 (Census Tract) | 530610 41903 (Census Tract) | 530610 41809 (Census Tract) | 530610 41000 (Census Tract) | 530610 40800 (Census Tract) |
| Percent "Two or More Races" pop. | 6.19% | 8.12% | 14.32% | 8.37% | 10.02% | 10.44% | 10.81% | 8.29% | 8.86% |

Source: PolicyMap, 2014-2018 ACS

National Origin

Almost 19 percent (18.8%) of the population of Everett are foreign born, a higher rate than the County or State. Forty-five percent of foreign-born are naturalized U.S. citizens and 78.9% entered the United States before 2010. Nearly 38% percent are from Asia, 30.8% from Latin America, 15.7% from Europe, 7.7% from Africa, 5.8% from Oceania, and 2.4% from North America. (2014—2018 ACS 5-Year Narrative Profile, Everett)

EVERETT FOREIGN-BORN BY TRACT 2012-2016

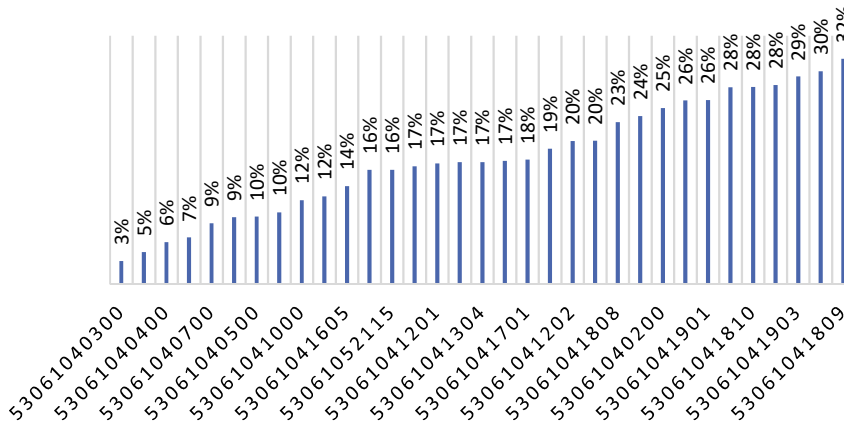


Chart 2

Within Everett, tracts vary greatly in the percentage of foreign-born individuals, from 3 (tract 1040300) to 32% (tract 1041809).

Chart generated from data from Opportunity Insights.¹³

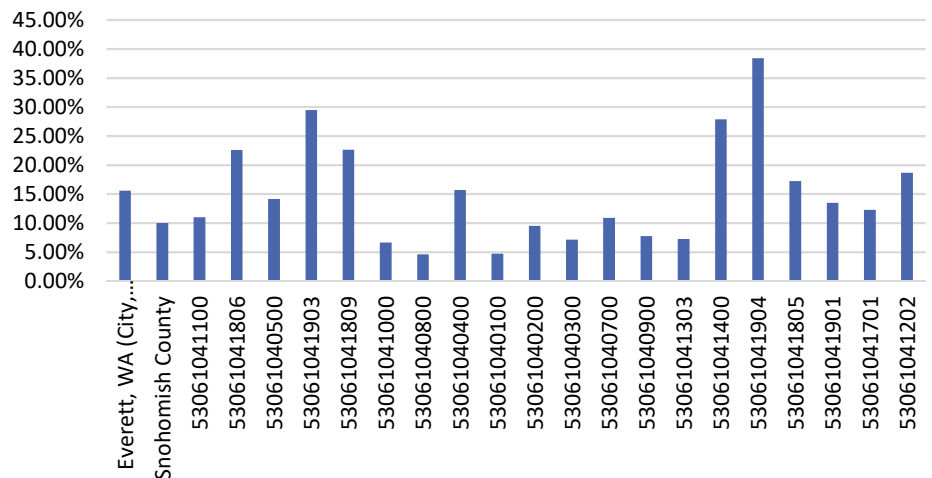
Hispanic Population

Chart 3

Ten percent of the overall Snohomish County population and 15.7% of the Everett population is Hispanic. Within Everett, Hispanic populations vary greatly by Tract.

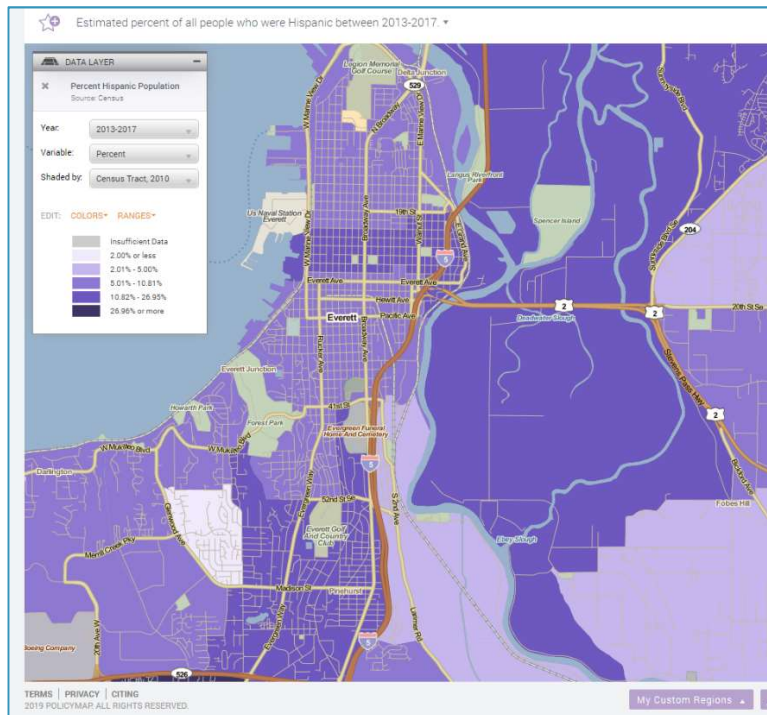
Source: US Census, 2014-2018 American Community Survey

Percent Hispanic or Latino Population



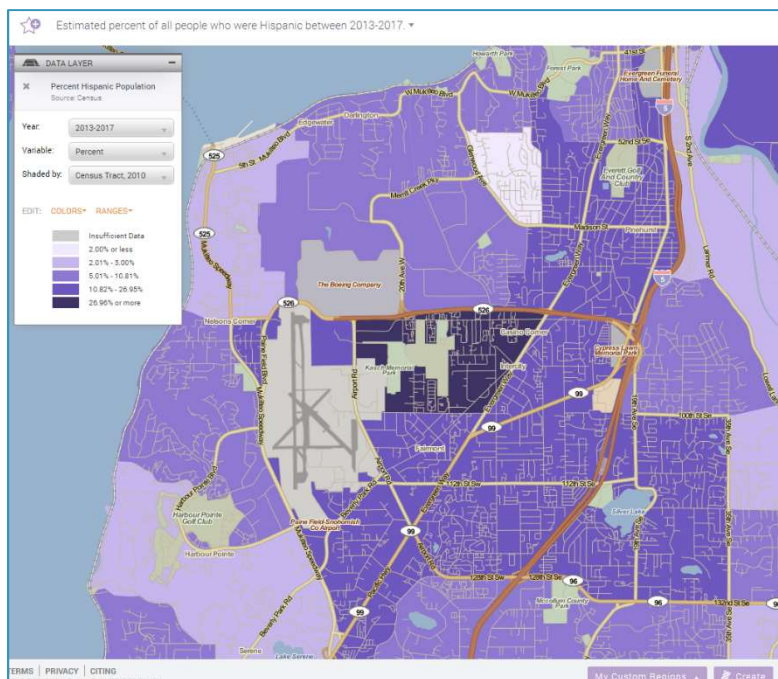
¹³ <https://opportunityinsights.org/>

Maps 11 and 12 depict the distribution of people of Hispanic national origin in Everett. The darkest areas have the highest Hispanic populations (e.g., Westmont and Cascade View).



MAP 11
HISPANIC POPULATION

Source: <https://www.policymap.com/maps>

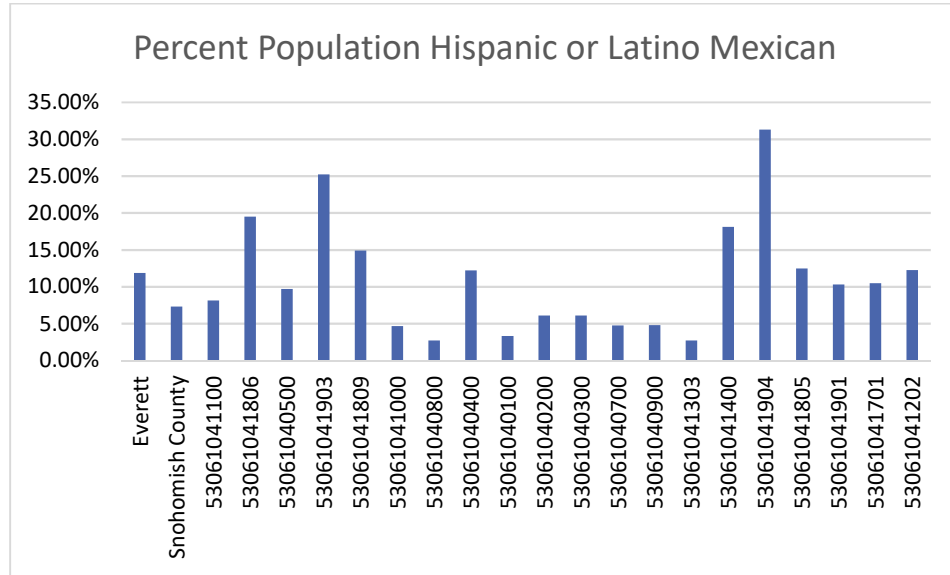


MAP 12
HISPANIC POPULATION

Source: <https://www.policymap.com/maps>

The majority of Hispanics / Latinos in Everett are of Mexican national origin (78.5% of the Hispanic / Latino population, and 12% of the total Everett population).

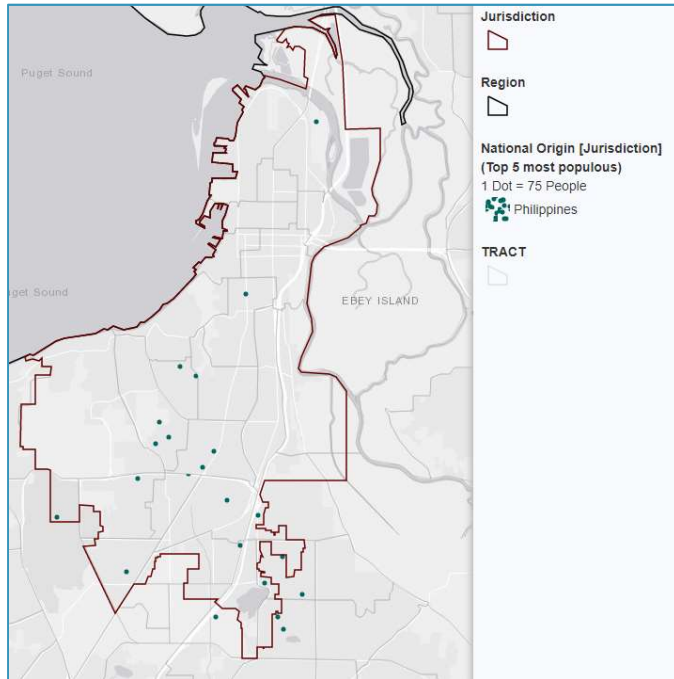
Chart 4



Source: Data from PolicyMap, 2014-2018 ACS

Asian National Origin

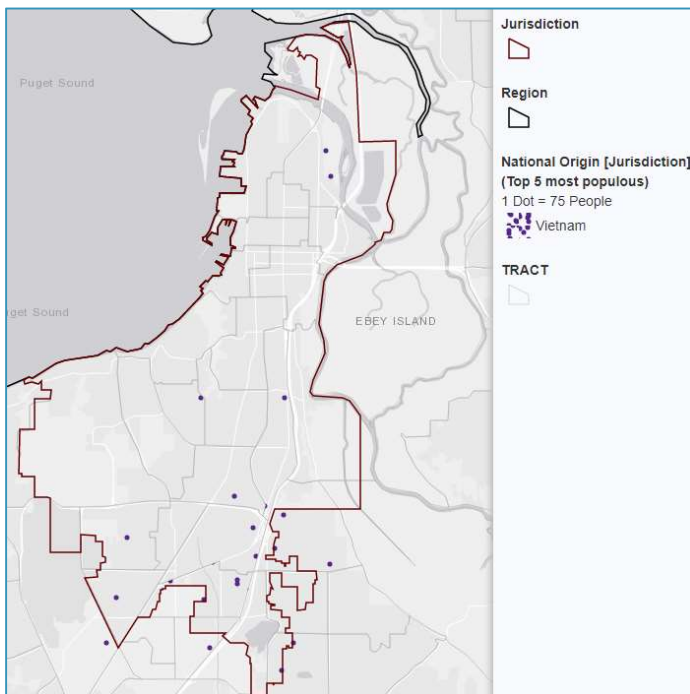
Maps 13 and 14 depict Filipino and Vietnamese populations in Everett, concentrated in Delta, Evergreen View Ridge Madison, Cascade View, and Silver Lake neighborhoods.



MAP 13

FILIPINO POPULATION

Source: HUD Map 3 – AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/> (Data from ACS 2009-2013)



Map 14

VIETNAMESE POPULATION

Source: HUD Map 3 – AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/> (Data from ACS 2009-2013)

Limited English Proficiency

Twenty-six percent of the Everett population age five and over speaks a language other than English at home (2014-2018 US Census):

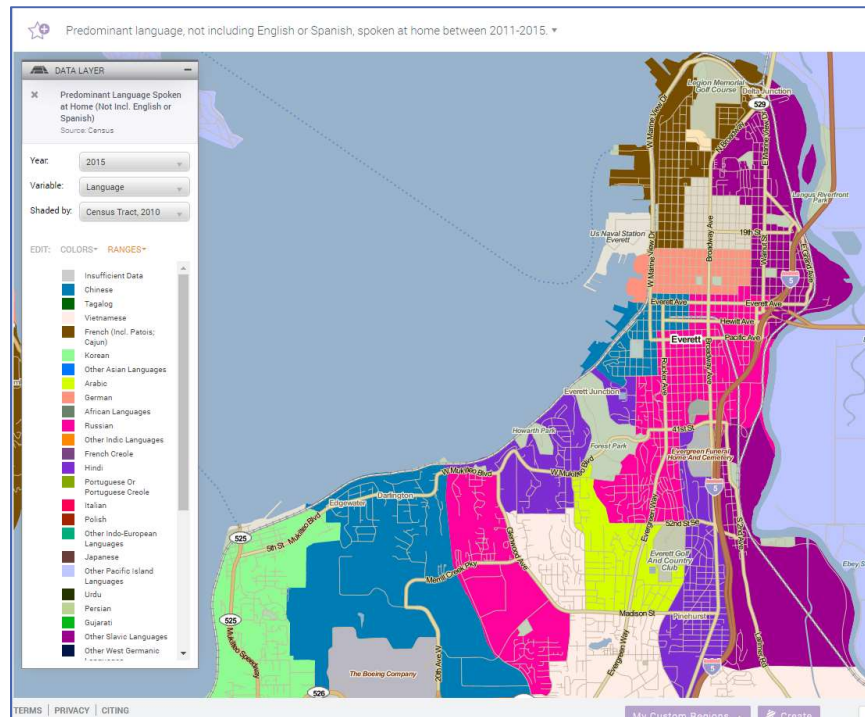
11.1% speak Spanish
7.2% speak Asian and Pacific Islander languages,
5.8% speak other Indo-European languages,
2.0% speak other languages

Eleven percent of the population 5 and over report that they speak English less than “very well.” (U.S. Census, 2014-2018 ACS 5-Year Estimates)

Maps 15 and 16 show the locations of languages spoken at home by the largest number of people, excluding English and Spanish-speaking populations, between 2011-2015. These include the following languages and tracts:

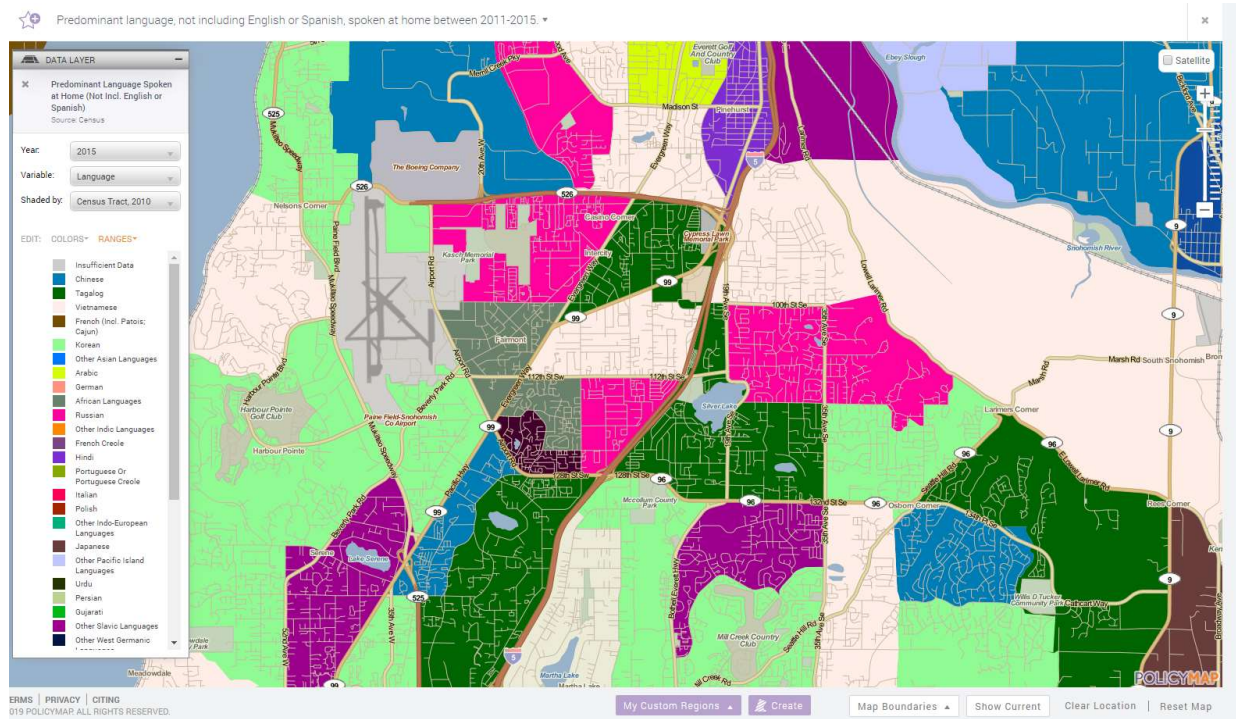
- ❖ **Russian:** 40700, 41000, 41303, 41808, 41903, 41904,
- ❖ **Vietnamese:** 41201, 41202, 41806
- ❖ **Tagalog:** 41701, 41805
- ❖ **Hindi:** 40900, 41400
- ❖ **African language:** 41809, 41905
- ❖ **Other Slavic languages:** 40200, 40500
- ❖ **Korean:** 41901
- ❖ **Chinese:** 40800
- ❖ **Arabic:** 41100
- ❖ **Mon-Khmer, Cambodian:** 40300
- ❖ **German:** 40400
- ❖ **French:** 40100

MAP 15 – PREDOMINANT LANGUAGES SPOKEN AT HOME



<https://www.policymap.com/maps>

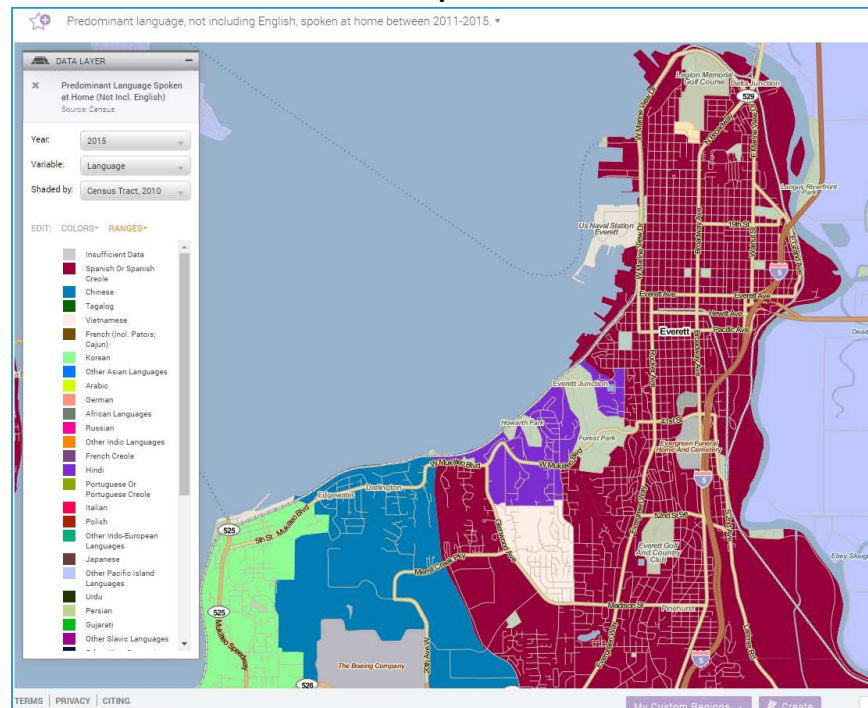
MAP 16 – PREDOMINANT LANGUAGES SPOKEN AT HOME



<https://www.policymap.com/maps>

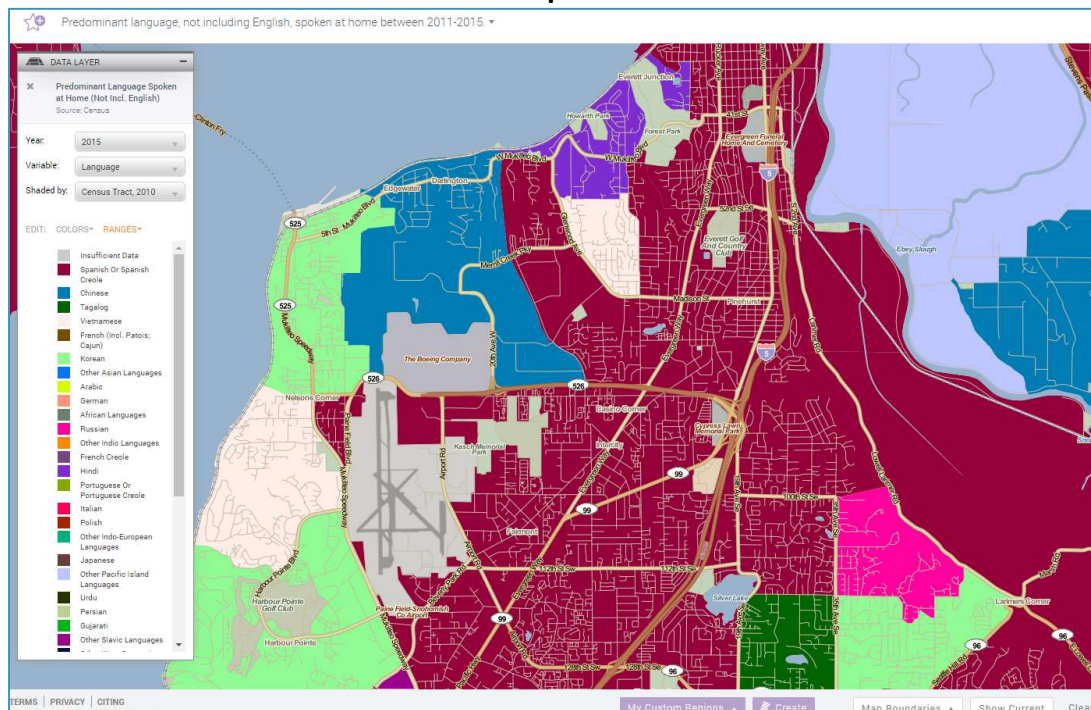
Maps 17 and 18 show the predominant languages, not including English, but including Spanish, spoken at home between 2011-2015.

Map 17



<https://www.policymap.com/maps>

Map 18



<https://www.policymap.com/maps>

Community survey participants, housing consumers, advocates, and housing providers alike, identified the greatest need for alternate language fair housing education materials in Spanish, Russian, Vietnamese, Arabic, and Korean.

Chart 5: Housing Consumer / Advocate Community Survey:

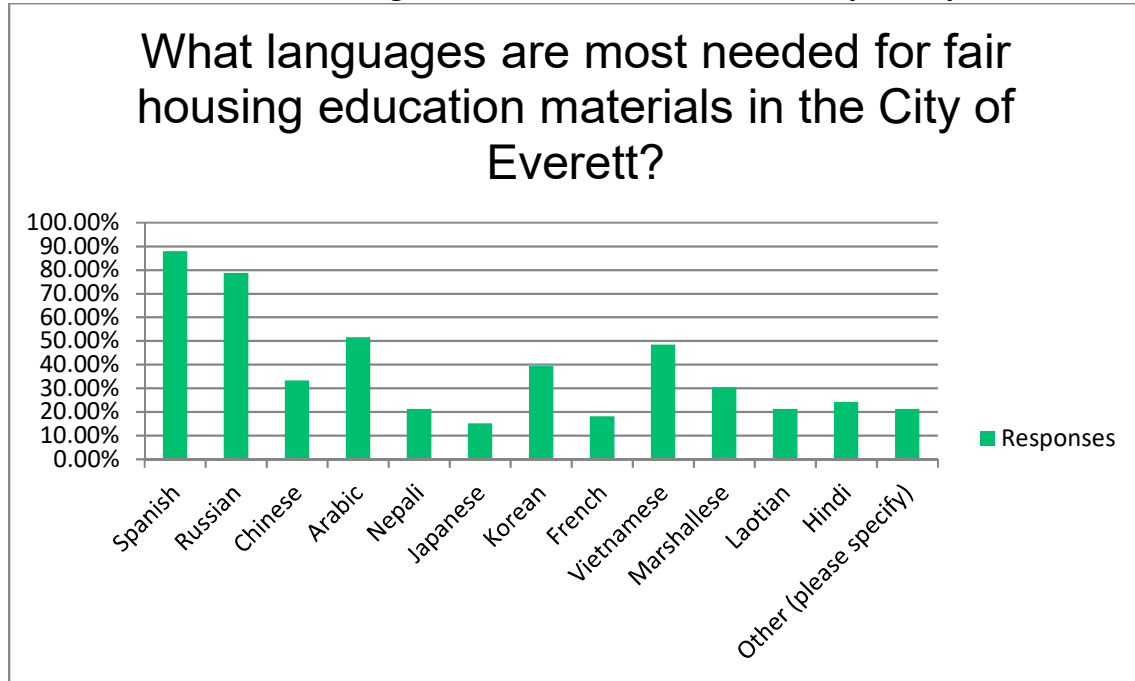
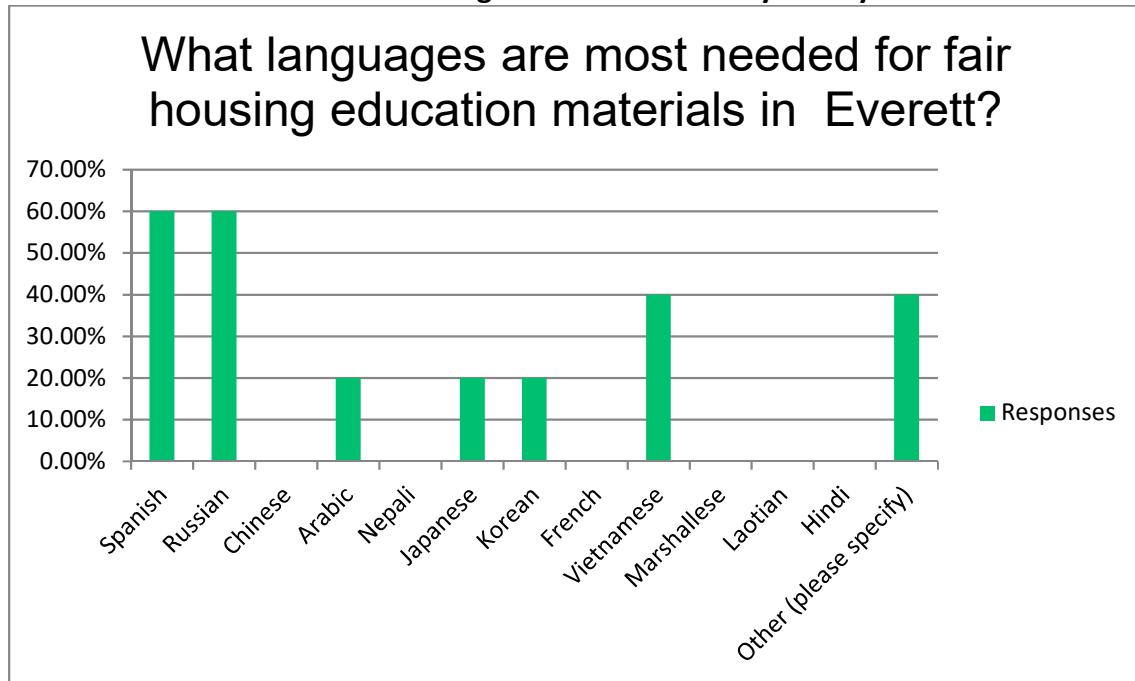


Chart 6: Housing Provider Community Survey:



Twenty-seven staff members from the Housing Authority of Snohomish County (HASCO) participated in a survey about interactions with residents with Limited English Proficiency for the HASCO May 2019 Language Access Plan. Fifty-eight percent of survey responders selected Russian as a commonly encountered language; 42% identified Ukrainian; 37% selected Vietnamese; 32% selected Spanish, and 32% identified Arabic as commonly encountered languages. Twenty-one percent of survey responders selected “Other”, including ASL, Asian languages, and Amharic (an Ethiopian Semitic language).

5. People with Disabilities

Sixteen and a half percent of the non-institutionalized population in Everett have a disability, a higher percentage than Snohomish County (12%) and the State (12.8%) (2013-2017 ASC Survey), and higher rates of disability than the County and State at all age groups. Table 8.

| Table 8: Populations with Disabilities 2013-2017 | | | |
|--|---------|--------|-------|
| AGE GROUP | EVERETT | COUNTY | WA |
| Under 5 years | 1.7% | 0.6% | .8% |
| 5-17 years | 7.3% | 5.5% | 5.2% |
| 18-34 years | 10.3% | 7% | 6.9% |
| 35-64 years | 18.6% | 12.1% | 13.1% |
| 65-74 years | 32.2% | 25.5% | 26% |
| 75 years and over | 63.9% | 52.8% | 51.7% |

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

The most common type of disability in Everett counted by the US Census Department is ambulatory difficulty (Table 9), which makes accessible housing especially important in Everett.

| Table 9: Populations with Disabilities By Type 2013-2017 | | | |
|--|---------|--------|------|
| TYPE OF DISABILITY | EVERETT | COUNTY | WA |
| Hearing Difficulty | 4.4% | 3.6% | 4.1% |
| Vision Difficulty | 3.1% | 1.9% | 2.2% |
| Cognitive Difficulty | 7.5% | 4.3% | 5.4% |
| Ambulatory Difficulty | 9.2% | 5.2% | 6.7% |
| Self-Care Difficulty | 3.9% | 2.3% | 2.5% |
| Independent Living Difficulty | 8.1% | 5.3% | 5.5% |

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

B. HOUSING PROFILE

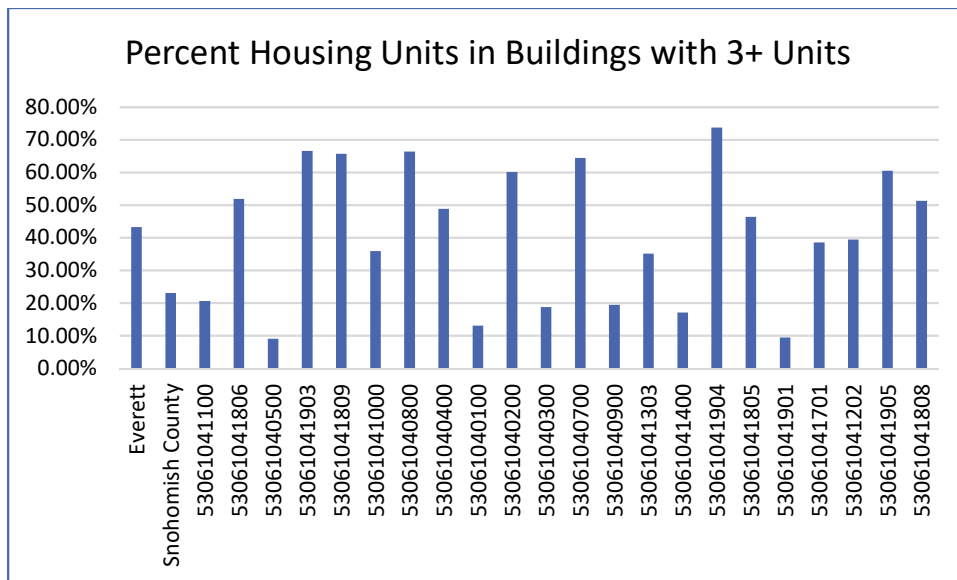
1. Total Housing Units

As of 2017, there were an estimated 42,652 housing units in Everett's four primary zip codes. The mix of unit structures was as follows:

43.9% one unit detached,
4.5% one unit attached,
48.6% 2 or more units, and
3% mobile homes.

In 2018, 43.3% (19,657) of housing units in Everett were in buildings with three or more units (multi-family), a much higher rate than the County overall (23% or 70,741 units).

Chart 7



Source: Data from PolicyMap, 2014-2018 ACS.

The number of total housing units increased by 1,909 since 2011. The percent of one-unit housing units as a portion of total units decreased by 1.6%, while the percentage of two or more unit housing units increased by 2%. A .3% decrease in the percent of mobile home and special units accounted for the remaining difference.

Table 10: Housing Units - 2011 and 2017 Estimates - Everett

| Zip Code | 2011 | 2011 | 2011 | 2011 | 2011 | 2017 | 2017 | 2017 | 2017 | 2017 |
|--------------------|---------------------------------|---|---|--|---------------------------------------|---------------------------------|---|---|--|---------------------------------------|
| | Estimate of Total Housing Units | Estimate of One Unit Housing Units-Detached | Estimate of One Unit Housing Units-Attached | Estimate of Two or More Unit Housing Units | Estimate of Mobile Homes and Specials | Estimate of Total Housing Units | Estimate of One Unit Housing Units-Detached | Estimate of One Attached Housing Units-Attached | Estimate of Two or More Unit Housing Units | Estimate of Mobile Homes and Specials |
| Total Units | 40,743 | 18,538 | 1,833 | 18,986 | 1,345 | 42,652 | 18,729 | 1,928 | 20,719 | 1,276 |
| % of Total | 100% | 45.5% | 4.5% | 46.6% | 3.3% | 100% | 43.9% | 4.5% | 48.6% | 3% |

Source: U.S. Census, 2011-2017 ACS 5-Year Estimates

Based on a forecasted population of 165,000 by 2035, Everett will need 22,777 additional housing units by that year¹⁴, a 54.4% increase in housing unit inventory. Forty percent (9,267) of needed additional units will be needed for households with 50% or less median income; 15.5% (3,529) of new units will be needed for households with 51 to 80% median income; and 43.8% (9,981) will be needed for households with 81% or more median income.

¹⁴ <https://everettwa.gov/DocumentCenter/View/19510/Housing-Units-Needed>

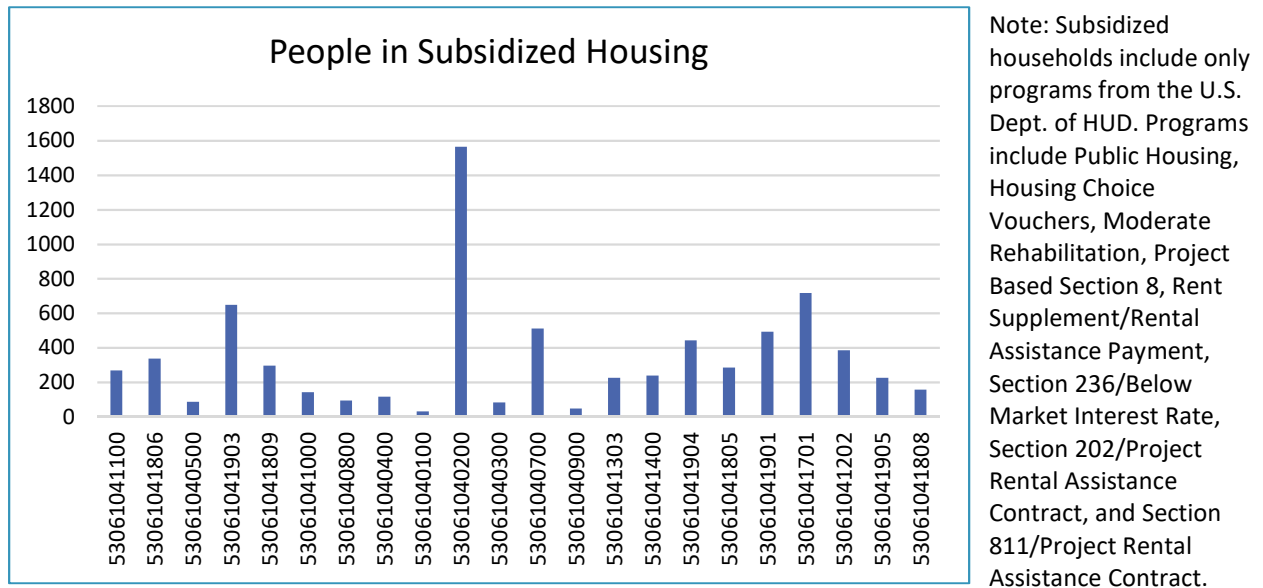
2. Affordable Rental Units

There are several types of publicly assisted housing in Everett. Some are owned and operated by housing authorities, others by not-for-profit or for-profit entities.

- The Tax Reform Act of 1986 created the Low-Income Housing Tax Credit (LIHTC) program, which provides State and local LIHTC-allocating agencies nearly \$8 billion in annual budget authority to issue tax credits for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households.
- Section 8 project-based rental assistance housing is subsidized by funding provided by HUD to owners of multifamily rental housing, pursuant to housing assistance payment (HAP) contracts. Extremely low- and very low-income families whose income does not exceed 50% of area median income (AMI) are eligible to occupy assisted units, and pay the higher of 30% of adjusted income, 10% of gross income, or the portion of public assistance designated for housing or the minimum rent established by HUD. A limited number of units may be rented to families with incomes between 50 and 80% of AMI. Section 8 project-based assistance was originally provided for new construction, substantial rehabilitation, or existing projects. Today it is only available to fund renewal of HAP contracts for units already assisted with project-based section 8 assistance.
- The project-based voucher (PBV) program allows a public housing agency to allocate tenant-based housing choice voucher (HCV) funding to project-based units.
- The HOME Investment Partnerships Program (HOME) provides annual formula grants to States and localities to fund activities including developing, purchasing, and rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. State and local governments use HOME funds for grants, direct loans, loan guarantees or credit enhancements, or rental assistance or security deposits. For rental housing and rental assistance, at least 90% of assisted families must have incomes no greater than 60% of the HUD-adjusted area median family income. In rental properties with at least five assisted units, at least 20% of the units must be occupied by families with incomes that do not exceed 50% of adjusted median. The incomes of households receiving HUD assistance must not exceed 80% of area median.
- The Section 202 Housing for the Elderly program provides very low-income elderly with supportive housing. HUD provides interest-free capital advances to nonprofit organizations to develop supportive housing for the elderly. The advance does not have to be repaid so long as the project serves very low-income elderly persons for 40 years. Project rental assistance funds cover the difference between the HUD-approved operating cost for the project and a tenant's rent contribution. Any extremely low-income household with at least one person 62 or over is eligible to reside in Section 202 housing.
- The Section 811 Supportive Housing for Persons with Disabilities program provides capital advances to non-profit developers of affordable housing, and/or project rental assistance. Eligible households for projects with capital advances and project rental assistance must be very low-income (within 50% of AMI) and have at least one adult household member with a disability. To be eligible to reside in units only assisted by project rental assistance, tenants must be extremely low-income (within 30% of AMI) and have one adult household member with a disability.
- Section 515 Rural Rental Housing Loans are USDA mortgages to provide affordable rental housing for very low-, low-, and moderate-income families, elderly persons, and persons with disabilities.
- Section 521 Rural Rental Assistance is available in properties financed by the USDA Section 515 Rural Rental or Section 514/516 Farm Labor Housing programs to cover the portion of rent above 30 percent of a tenant's income.

There were 18,365 people living in subsidized housing in 2018 in Snohomish County. 6,784 of these were in Everett. The largest number resided in in tract 40200.

Chart 8: Number of people living in subsidized housing in 2018



Source: Chart data from PolicyMap, HUD.

a. Public Housing Authority

Two public housing authorities (PHAs) operate in Snohomish County: the Housing Authority of Snohomish County (HASCO), and the Everett Housing Authority (EHA).

i. Portable Housing Vouchers

Public housing agencies (PHAs), receive funding from the U.S. Department of Housing and Urban Development to locally administer housing choice vouchers (HCVs). Eligibility for a voucher is based on total annual gross income, family size, and citizenship and immigration status (US citizens and specified categories of non-citizens who have eligible immigration status). In general, income may not exceed 50% of the area median income (AMI). A PHA must provide 75 percent of its vouchers to people whose incomes does not exceed 30% of AMI. Voucher recipients may select housing that meets the habitability and rental rate requirements of the program. A subsidy is paid to the landlord directly by the PHA. The family pays the difference between the rent charged and the amount of the subsidy. The PHA determines a payment standard. A voucher recipient may choose a unit with a rent below or above the payment standard. The voucher recipient must pay 30% of its monthly adjusted gross income for rent and utilities. If the rent is greater than the payment standard, the family must pay the additional amount. Housing assistance is generally the lesser of the payment standard minus 30% of the family's monthly adjusted income or the gross rent for the unit minus 30% of monthly adjusted income.

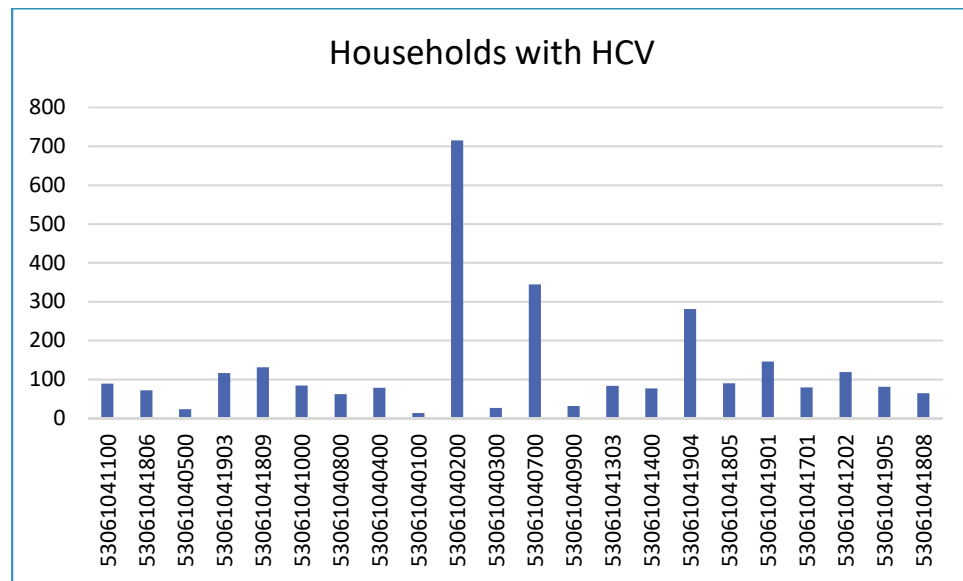
In 2018 there were 6835 households subsidized by housing choice vouchers (2.5% of County households). 2557 of the voucher-supported households were in Everett (6% of Everett households).

EHA and HASCO have adopted a joint-operating area agreement, which allows voucher holders to receive a voucher from either the housing authority and rent within the County. In 2017, Everett Housing Authority administered 2265 Section 8 housing choice vouchers, and HASCO administered 3,058 of the 5323 total vouchers in Snohomish County.¹⁵

¹⁵ <https://hasco.org/about-hasco/hasco-by-the-numbers/section-8-legislative-dist-stats/>

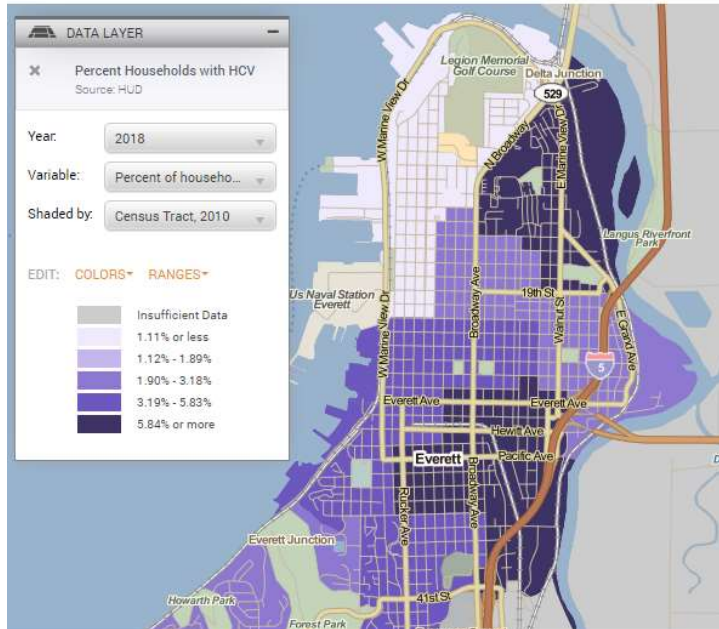
Voucher holders are concentrated in tracts 40200 (28% of households), 40700 (18.9%), 41100 (12.78%), 41904 (12.6%). Map 19

Chart 9



Source: Policy Map, HUD

Percent of total households that receive Housing Choice Vouchers in 2018. ▾



Map 19

Percent Voucher Units

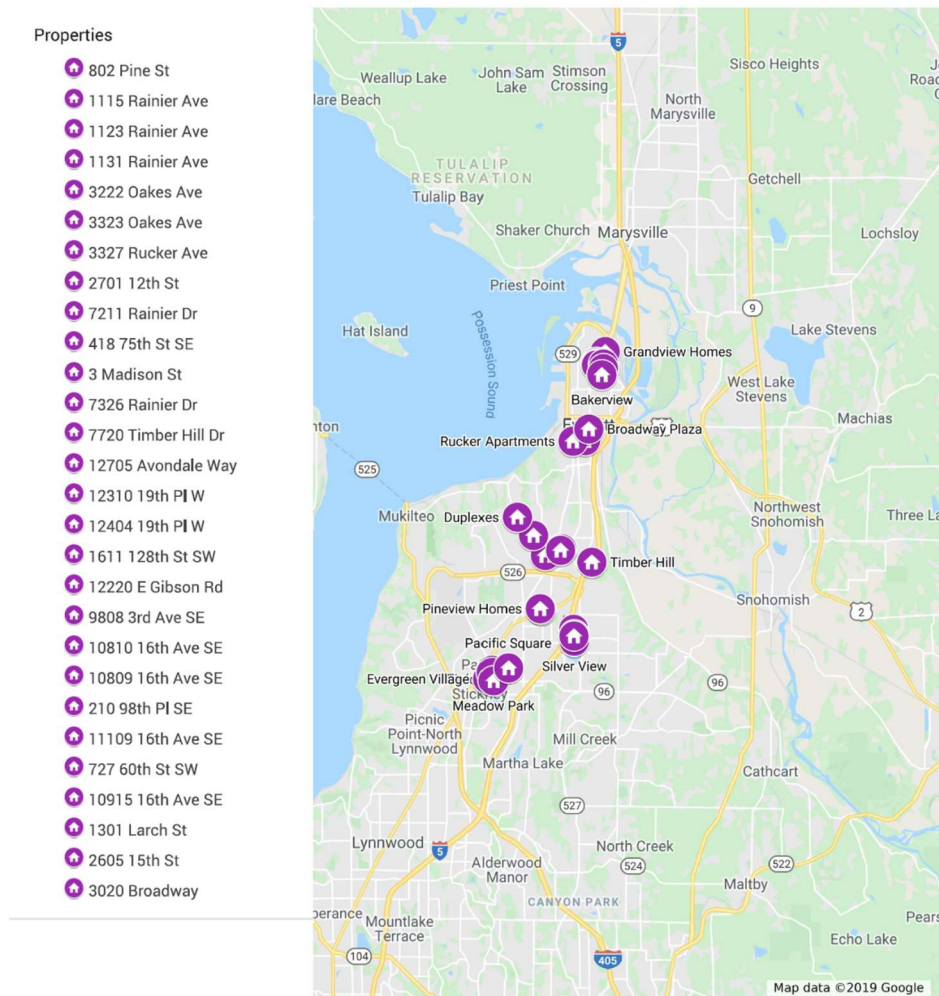
Source: Policy Map

ii. Public Housing Authority Portfolios

Everett Housing Authority has 28 properties throughout Everett. See Map 20 and Table 11. In addition to its properties in Everett, EHA owns six affordable properties outside of Everett with 217 units subsidized by Section 202 Supportive Housing for the Elderly and the HOME Investment Partnership Program. Four properties are in Lynnwood, and one each in Lake Stevens and Monroe. The units are primarily one bedrooms and are reserved for seniors.

MAP 20

Everett Housing Authority Properties



Source: Google Maps, generated for addresses for properties listed in Table 11.

| Table 11: Everett Housing Authority Properties in Everett | | | | |
|---|----------|-------------|---|------------------------------------|
| Property Name | Zip Code | # Units | Program | Target Population |
| Baker Heights | 98201 | 244 | Project Based Voucher Program (PBVP); public housing program | Preference to veterans |
| Baker Heights Townhomes | | 43 | 32 Low-Income Housing Tax Credit (LIHTC) units | Homeless, 40-60% AMI |
| Bakerview Apts. | 98201 | 151 | PBVP | 62+ and disabilities |
| Broadway Plaza | 98201 | 190 | PBVP, Senior Housing | 62+, 55+, adults with disabilities |
| Grandview Homes | 98201 | 148 | PBVP | Family |
| Meadows I Apts. | 98201 | 51 | LIHTC | 55+ |
| Meadows II | 98201 | 50 | LIHTC; HOME Investment Partnerships Program | 55+ |
| Meadows III Apartments | 98201 | 51 | LIHTC; HOME Investment Partnerships Program | 55+ |
| Oakes Apartments | 98201 | 12 | LIHTC | |
| Royal Oakes | 98201 | 12 | | |
| Rucker Apartments | 98201 | 15 | LIHTC; HOME Investment Partnerships Program | Family |
| Wiggums Park Place Apts. | 98201 | 80 | PBVP; LIHTC | |
| 727 60th St SW, | 98203 | 2 | Public Housing | |
| Bridge Creek | 98203 | 22 | Co. HTF, CDBG, HUD-SetAside | Family/DD |
| Lakeview Terrace Apts. | 98203 | 21 | | |
| Madison Villa Apts. | 98203 | 22 | | Family |
| Rainier Park | 98203 | 14 | | |
| Timber Hill | 98203 | 30 | Housing Choice Voucher Program | |
| Evergreen Village Senior Apts. | 98204 | 39 | Sec. 202 Supportive Housing for the Elderly; HOME Investment Partnerships Program | 62+ |
| Lake Woods I Apts. | 98204 | 60 | Sec. 202 Supportive Housing for the Elderly | 62+ |
| Lake Woods II | 98204 | 51 | | 55+ |
| Meadow Park Senior Apts. | 98204 | 39 | Sec. 202 Supportive Housing for the Elderly | 62+ |
| Pacific Square Apts. | 98204 | 8 | | Family |
| Douglas Grove | 98208 | 10 | PBVP | |
| Evergreen Cottages | 98208 | 20 | | 62+ |
| Evergreen Court Senior Apts. | 98208 | 38 | Sec. 202 Supportive Housing for the Elderly | 62+ |
| Pineview Homes | 98208 | 33 | PBVP | Family |
| Silver View Senior Apts. | 98208 | 39 | Sec. 202 Supportive Housing for the Elderly; HOME Investment Partnerships Program | 62+ |
| Silver Woods Senior Apts. | 98208 | 37 | Sec. 202 Supportive Housing for the Elderly | 62+ |
| Total Units | | 1489 | | |

Source: Data at <https://www.evha.org/properties/list>; <https://affordablehousingonline.com/housing-search/Washington/Everett>; <https://www.huduser.gov/portal/datasets/lihtc.html>; Snohomish Co. Affordable Housing Inventory, <https://housingsnohomish.org/wp-content/uploads/2018/03/PivotTable.xlsx>; Housing Profile: Ci. of Everett, 2014, http://www.housingallies.org/wp-content/uploads/2014/08/Profile_Everett031615.pdf.

HASCO currently has 2,440¹⁶ publicly supported housing units in its portfolio.

- 71% serve families and individuals,
- 27% serve seniors and/or persons with disabilities, and
- 1% are in group homes.

HASCO has historically owned and operated the following types of subsidized and affordable units¹⁷:

- Section 515 USDA Rural Development units: rent-subsidized units for low-, very low- and extremely low-income seniors and people with disabilities. The tenant portion of rent is based on 30% of adjusted income. In 2010, HASCO had 186 units, 232 in 2016, 222 in 2017, and 270 in 2019.
- Project-Based Section 8 and Project-Based Voucher Contracts: In 2010, HASCO had 172 Project-Based units, 263 in 2016, and 200 in 2019.
- Homeownership units: HASCO has provided 143 homeownership units in three manufactured home communities (2 55+ in Lynnwood and one for families in Silver Lake-Everett). Residents own their homes and HASCO owns the land. Residents pay rent to HASCO for utilities and maintenance of community facilities. Affordable financing is available through BECU to purchase homes in HASCO's manufactured housing communities and purchase assistance loans are available through HomeSight.
- Public Housing units: Until recently, HASCO owned and operated 210 units of public housing (since prior to 2010). In July 2011, HASCO submitted a Section 18 disposition application to HUD, which was approved in 2015. By the end of 2015, HASCO had finalized the disposition of its public housing units to a non-profit, providing tenant protection vouchers to the public housing residents. HASCO continues to operate one 30-unit development for people with disabilities and the elderly as Project-Based Voucher housing and operates the remaining units as affordable housing with below-market rents.
- Low Income Housing Tax Credit / Bond and other affordable Units: Non-subsidized apartment rental units owned by HASCO and mostly managed by property management companies, generally affordable to low-income households) – 1338 units in 2010, 1570 in 2016, 2694 in 2017.

HASCO currently owns seven properties in Everett (Table 12) and Map 21. Five properties (including two duplexes, and multi-family and townhouse apartments with studio, one, two, three, and four bedrooms) are concentrated in zip code 98204, and 1 property each is sited in 98201 and 98208. HASCO also owns at least 37 properties within the Snohomish County Urban Consortium

¹⁶ *Id.*

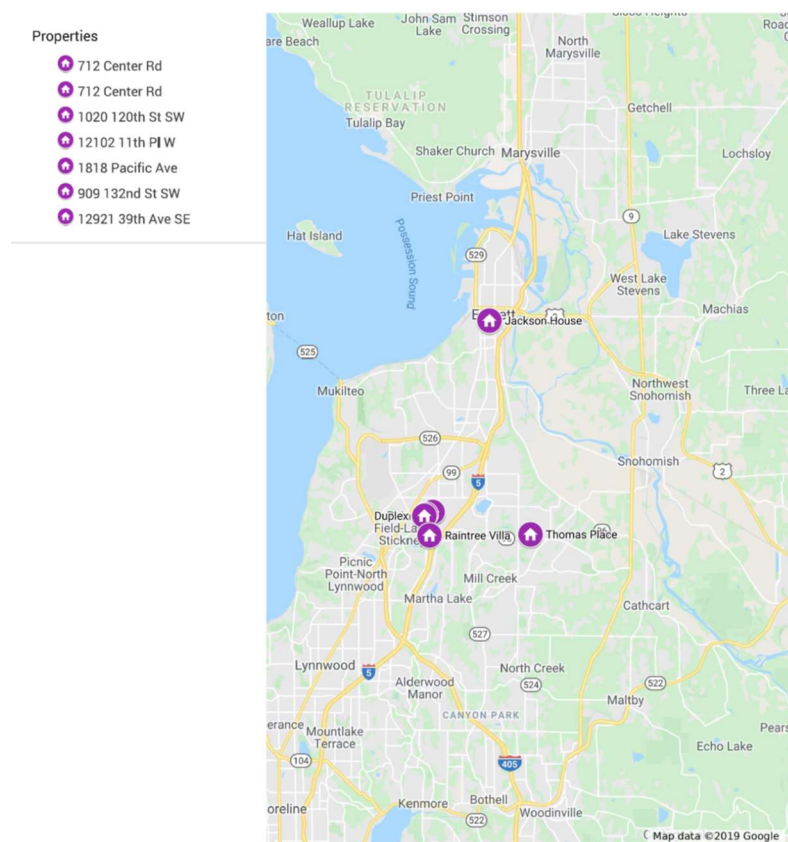
¹⁷ https://hasco.org/wp-content/uploads/2017/09/hasco_clpha_member_profile.pdf; https://hasco.org/wp-content/uploads/2017/09/hasco_program_overview_22916.pdf; <https://hasco.org/our-properties>

with 1976 units in Arlington, Bothell, Edmonds, Lake Stevens, Lynnwood, Marysville, Mountlake Terrace, Snohomish, Stanwood and unincorporated Snohomish County.

| Table 12: HASCO Everett Properties ¹⁸ | | | | |
|--|----------|------------|-------------------|-------------------------------|
| Property Name | Zip Code | # Units | Target Population | Type of Units |
| Jackson House | 98201 | 120 | 62+ | 1 & 2 BDRM |
| Center House | 98204 | 44 | | 1, 2 & 3 BDRM |
| Centerwood | 98204 | 20 | | Townhouse Apts. 2, 3 & 4 BDRM |
| HASCO scattered site, DPLX | 98204 | 2 | Family | Duplex |
| HASCO scattered site, DPLX | 98204 | 2 | Family | Duplex |
| Raintree Villa | 98204 | 112 | Family | Studio & 1 BDRM |
| Thomas Place | 98208 | 44 | Family | 3 BDRM manufactured homes |
| Total Units | | 344 | | |

Map 21

HASCO Everett Properties



Source: Google Maps, generated for addresses for properties listed in Table 12.

¹⁸ Source: Data at <https://hasco.org/our-properties/>; [https://affordablehousingonline.com/housing-search/Washington/Everett](https://affordablehousingonline.com/housing-search/Washington/Everett;); <https://www.huduser.gov/portal/datasets/lihtc.html>; Snohomish Co. Affordable Housing Inventory, <https://housingsnohomish.org/wp-content/uploads/2018/03/PivotTable.xlsx>; Housing Profile: Ci. of Everett, 2014, http://www.housingallies.org/wp-content/uploads/2014/08/Profile_Everett031615.pdf

b. Distribution of Affordable Housing In Everett

“Affordable housing” for purposes of this report means housing that is available to those at or below 100% AMI at a range of price points, which cost does not exceed 30% of gross income.

Affordable units are dispersed throughout Everett. See Maps 22 – 24 and Table C-1 in Appendix C. A housing profile report was prepared for Everett in 2014,¹⁹ which is used as a baseline comparison as to the number and type of affordable housing units that exist now.

The term “subsidized rental units” refers to rental assistance or property operating assistance that compensates for the portion of rent above 30% of a tenant’s income. Subsidized units are often reserved for target populations, such as people with disabilities, elderly, or homeless or low-income families. Subsidized units have income qualification requirements and are usually reserved for households with 30% or less adjusted median income (AMI), 31-50% AMI, 51-60% AMI, or 60-80% AMI.

“Workforce rental units” means units in properties for which a developer receives a tax credit, bond, or other capital funding, in return for agreeing to set aside a certain number of units for low-income target populations for a period. Like subsidized units, there are usually income qualification requirements for the units based on AMI percentages.

Affordable Housing Inventory - 2014

In 2014, there were at least 4,815 affordable housing units:

- 1627 dedicated subsidized permanent housing units,
- 2,762 workforce housing units,
- 92 transitional units, and
- 334 shelter units.

Portable section 8 Housing Choice vouchers (2,885) were not included in any of these counts but may have been utilized in some of the units.

The dedicated permanent subsidized units (1,627) included: 640 units of public Housing, 461 Section 8 Project-Based Vouchers, 66 Project-Based Section 8 units, 235 Section 202 Supportive Housing for the Elderly, 50 Sound Families Initiative units, 72 HUD Supportive Housing units, and 103 Other.

Everett had 2,461 units of workforce housing in 35 properties. Funding for workforce units was made up of: 1,985 Tax Credit, 376 Bond, 156 HOME (City, County, and/or State), 275 Housing Trust Fund (City, County, and/or State) and 212 CDBG.

Map 22 depicts the location of publically assisted housing units as of 2013:

¹⁹ Housing Profile: City of Everett, 2014, http://www.housingallies.org/wp-content/uploads/2014/08/Profile_Everett031615.pdf

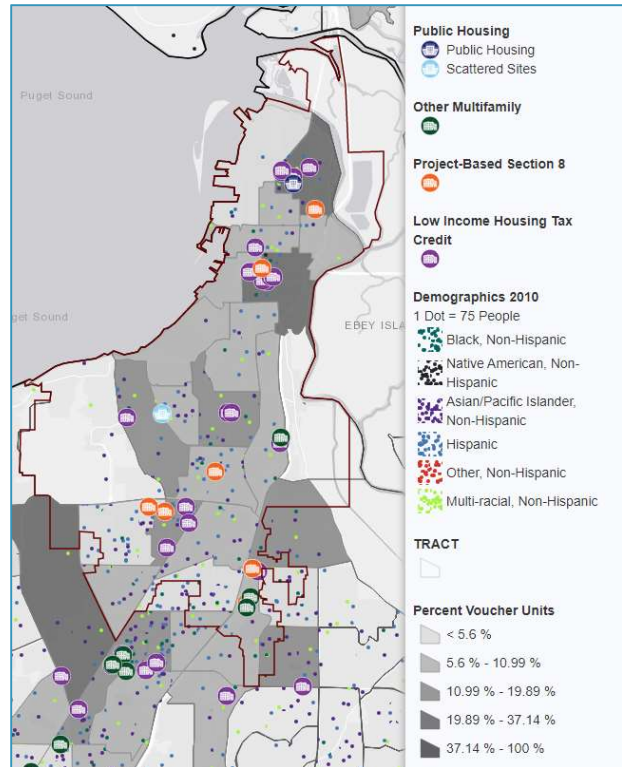
Map 22 Publicly Supported Housing

Map 26 shows the distribution of public housing and scattered site, project-based Sec. 8, other multifamily, and Low-Income Housing Tax Credit (LIHTC) properties as of 2013.

Publicly supported housing types are distinguished by color.

The majority (15 properties) were LIHTC. Additionally, there were 7 project-based Sec. 8 properties, 1 public housing property, 1 scattered site public housing, and 3 other multi-family properties.

Source: Map 5 – Data and Mapping Tool, <https://egis.hud.gov/affht/> (Data from National Low Income Housing Tax Credit (LIHTC) Database 2013, TRACS 2013, and IMS/PIC 2013).

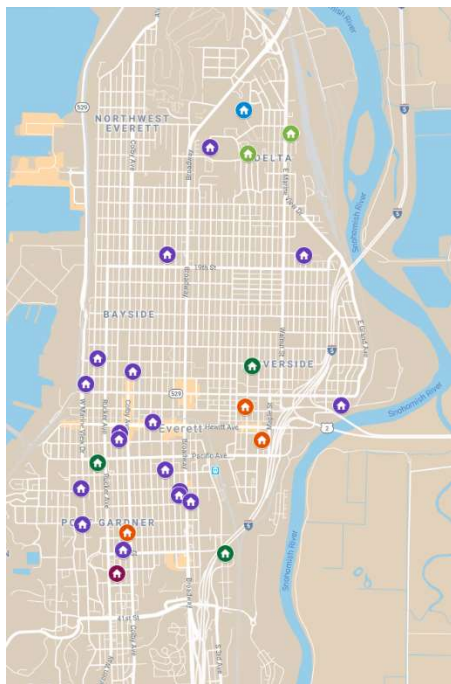


Affordable Housing Inventory Today:

There are an estimated 6,107 affordable units in Everett: 1,489 EHA units, 334 HASO units (Tables 11 and 12), and 4284 units operated by other entities (Table C-1, App. C)

Since the housing audit conducted in 2014, several new affordable multi-family housing projects have been developed, including Pivotal Point Apartments, Puget Park Apartments, Reserve at Everett, The, Twin Creeks Village, Family Tree Apartments, Hope Works Station II, and Wiggums Park Place Apartments. However, with Everett's growing population, affordable development will have to continue.

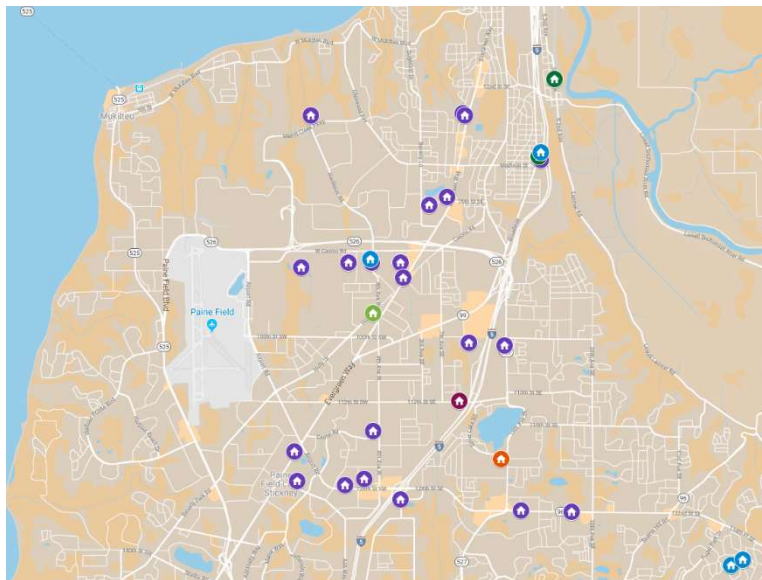
Of concern in many jurisdictions is the expiration of the affordability period (generally 30 years) for low-income housing tax credit (LIHTC) properties, which can result in the loss of affordable housing. Many LIHTC properties were placed in service in the late 1980s and early 1990s, which means that the requirement to keep set-aside numbers units at affordable rates at these properties has or will soon expire.



Map 23
Affordable Housing Units
(excluding PHA properties)
Everett

Key:

- Orange:** Youth
- Blue:** People with Disabilities
- Red:** Home Ownership
- Green:** Senior
- Purple:** Affordable housing (various populations)



Map 24
Affordable Housing Units
(excluding PHA properties)
Everett

Key:

- Orange:** Youth
- Blue:** People with Disabilities
- Red:** Home Ownership
- Green:** Senior
- Purple:** Affordable housing (various populations)

Source: Google Maps, generated for addresses for properties listed in Table C-1, App. C.

3. Multifamily Vacancy Rates

A vacancy rate below 5% is considered low, and 3% is considered an acute shortage. According to the University of Washington Runstad Department of Real Estate, the vacancy rate of all apartments in Snohomish County increased from 3.7% in 2017 to 5.2% in 2019. The average rent of all apartments also increased by \$140, (10.6%) over those two years.

| Table 13: Snohomish County Vacancy Rates | | | | |
|--|----------------|-----------|-----------|--------------|
| SIZE OF APT | UNITS SURVEYED | VACANCIES | AVE. RENT | VACANCY RATE |
| Spring 2019 | | | | |
| 1 Bedroom (Ave. 671 sf) | 13,110 | | \$1,312 | |
| 2 Bedroom (Ave. 867 sf) | 7,008 | | \$1,450 | |
| All apartments (Ave. 832 sf) | 32,800 | 1,701 | \$1,465 | 5.2% |
| Spring 2018 | | | | |
| 1 bedroom (Ave. 691 sf) | 960 | 41 | \$1,241 | 4.3% |
| 2 bedroom (Ave. 882 sf) | 630 | 26 | \$1,323 | 4.1% |
| All apartments (Ave. 883 sf) | 2,919 | 117 | \$1,432 | 4.0% |
| Spring 2017 | | | | |
| 1 bedroom (Ave. 691) | 1,167 | 425 | \$1,167 | 3.8% |
| 2 bedroom (Ave. 882 sf) | 7,339 | 294 | \$1,244 | 4.0% |
| All apartments (Ave. 883 sf) | 32,463 | 1,201 | \$1,325 | 3.7% |

WA State Apt. Market Report, Spring 2019, 2018, and 2017, U. of WA, Runstad Dept. of Real Estate²⁰

4. Residential Real Estate Listings

The number of residential listings in Snohomish County has varied over the years. The lowest number of listings in recent years was 646 in the first quarter of 2018, but then listings jumped to 1,099 the following year (still relatively low compared to earlier years). With the general decreased supply, the median sales price has increased 60% in from 2013 to 2019.

| Table 14 Snohomish County Real Estate Market Trends (2013-2019) | | | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| | Q1 2013 | Q1 2014 | Q1 2015 | Q1 2016 | Q1 2017 | Q1 2018 | Q1 2019 |
| # of residential listings | 1,355 | 1,753 | 1,437 | 1,080 | 768 | 646 | 1,099 |
| Median Sales Price | \$299,100 | \$328,700 | \$719,500 | \$391,700 | \$439,300 | \$472,200 | \$479,800 |

Source: Washington State's Housing Market, Univ. of WA, Runstad Dept. of Real Estate.²¹

²⁰ <http://realestate.washington.edu/research/wcrer/housing-reports/>

²¹ <http://realestate.washington.edu/wp-content/uploads/2019/05/2019Q1WSHMR.pdf>

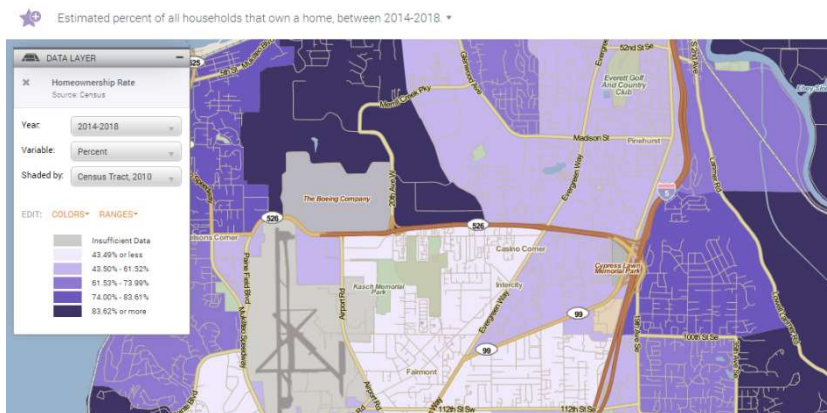
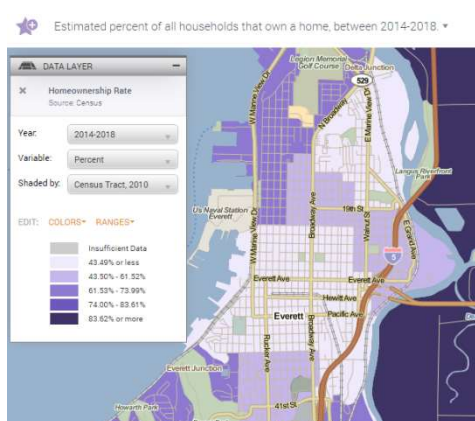
5. Tenure

There were more renters than owner-occupants in Everett (44.4% owner-occupants and 55% renters) according to 2013-2017 ACS estimates. Table 15. See also Maps 25 and 26. The darkest areas on Maps 29 and 30 have higher rates of owner occupancy. The darkest areas on Maps 31 and 32 have the highest renter occupancy rates. Single-family homes are occupied by owners 76% of the time, and 24% by renters. Table 15. Multifamily units are predominantly occupied by renters, at rates above 83% (2-4-unit properties had a 17% owner occupancy rate, and five units or more had an 8.6% owner occupancy rate). Mobile homes are occupied by owners 78.7% of the time, and by renters 21.3% of the time.

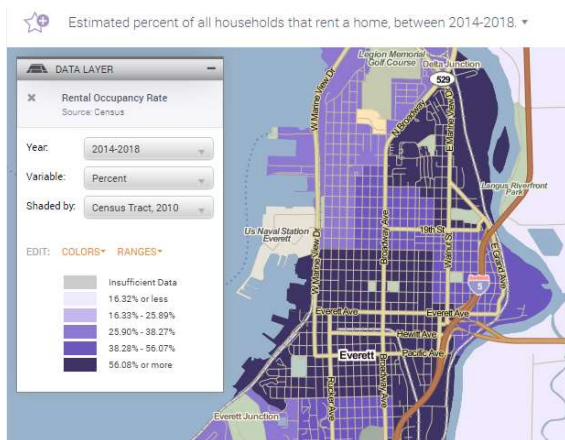
| Table 15: Tenure Occupied Units | | | | | | |
|---------------------------------|---------|---------|--------|---------|------------|---------|
| PROPERTY TYPE | EVERETT | | COUNTY | | WASHINGTON | |
| | OWNERS | RENTERS | OWNERS | RENTERS | OWNERS | RENTERS |
| All units | 44.4% | 55.6% | 70.5% | 29.5% | 62.7% | 37.3% |
| Single family* | 76% | 24% | 85% | 15% | 81.1% | 18.9% |
| 2-4 units | 17% | 83% | 20.8% | 79.2% | 12.7% | 87.3% |
| 5 or more units | 8.6% | 91.4% | 16.9% | 83.1% | 11% | 89% |
| Mobile homes, other | 78.7% | 21.3% | 76.7% | 23.3% | 75% | 25% |

*Detached and attached, U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

MAPS 25 & 26 OWNER HOUSEHOLDS



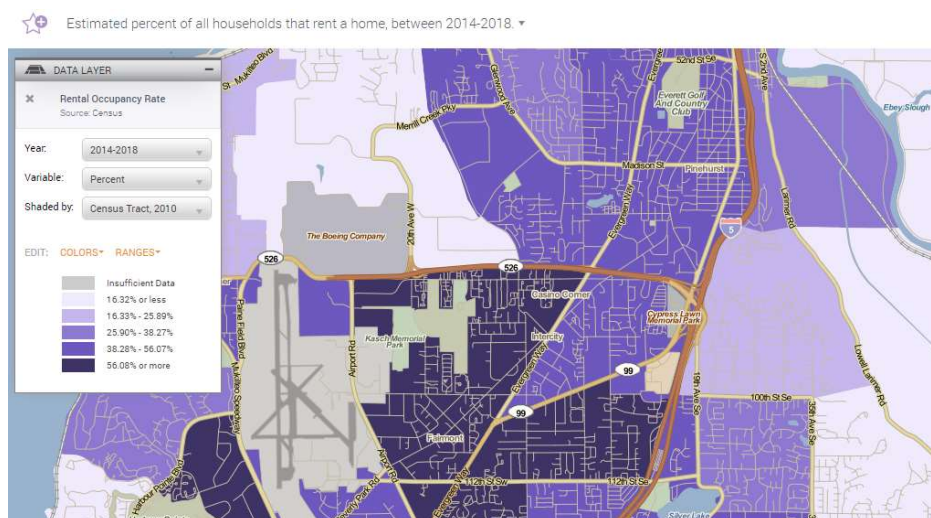
Source: PolicyMap, 2014-2018 ACS



Source: PolicyMap, 2014-2018 ACS

MAPS 27 & 28

RENTER OCCUPIED HOUSING UNITS



Source: PolicyMap, 2014-2018 ACS

Hispanic and black people in Everett are more likely to be renters than homeowners. See Tables 16 and 17.

White households occupy 80.5% of all housing units; 84.9% of homeowner households, and 76.9% of renters. Asians are 7% of homeowners and 8.4% of renters.

Black people are 4.2% of all households in Everett; yet only 1.9% of housing units are occupied by black homeowners while 6% are black renter-occupied. Of all black households, 20.7% are renters and 79.3% are owners.

Hispanic households make up 4.5% of owner occupied households and 13.8% of renters, while comprising 9.7% of total households. Similar to black households, of all Hispanic households, Hispanics have a 20.8% owner occupancy rate and 79.2% renter occupancy rate.

American Indians and Alaska Natives, Native Hawaiians and other Pacific Islanders, other races, and people who are two or more races are also under represented in home ownership and over represented as tenants.

| TABLE 16- HOUSEHOLD TYPE BY RACE / NATIONAL ORIGIN (INCLUDING LIVING ALONE) | | | | | | |
|---|-------------------|-----------------------|----------------|------------------|--------------|---------------------|
| Race of Household | No. of Households | % of Total Households | No. of Renters | % of All Renters | No of Owners | % of All Homeowners |
| Black or African American Alone | 1782 | 4.2% | 1414 | 6% | 368 | 1.9% |
| White Alone | 34318 | 80.5% | 18249 | 76.9% | 16069 | 84.9% |
| American Indian and Alaska Native Alone | 459 | 1.1% | 317 | 1.3% | 142 | 0.8% |
| Asian | 3136 | 7.4% | 1436 | 6.1% | 1700 | 9.0% |
| Native Hawaiian and other Pacific Islander Alone | 309 | 0.7% | 223 | 0.9% | 86 | 0.5% |
| Some Other Race Alone | 952 | 2.2% | 736 | 3.1% | 216 | 1.1% |
| Two or More Races | 1696 | 4% | 1351 | 5.7% | 345 | 1.8% |
| Total Households | 42652 | 100% | 23726 | 100.0% | 18926 | 100% |
| Hispanic or Latino National Origin | | | | | | |
| White Alone, Not Hispanic or Latino | 31562 | 74% | 16088 | 67.8% | 15474 | 81.8% |
| Hispanic or Latino | 4125 | 9.7% | 3268 | 13.8% | 857 | 4.5% |

Source: 2013-2017 American Community Survey 5-Year Estimates

| TABLE 17 - HOUSEHOLD TYPE BY RACE / NATIONAL ORIGIN (INCLUDING LIVING ALONE) | | | | | | |
|--|-------------------|-----------------------|----------------|--|---------------|---|
| Race of Household | No. of Households | % of Total Households | No. of Renters | Renters as % of all same race households | No. of Owners | Owners as % of all same race Homeowners |
| Black or African American Alone | 1782 | 4.2% | 1414 | 79.3% | 368 | 20.7% |
| White Alone | 34318 | 80.5% | 18249 | 53.2% | 16069 | 46.8% |
| American Indian and Alaska Native Alone | 459 | 1.1% | 317 | 69.1% | 142 | 30.9% |
| Asian | 3136 | 7.4% | 1436 | 45.8% | 1700 | 54.2% |
| Native Hawaiian and other Pacific Islander Alone | 309 | 0.7% | 223 | 72.2% | 86 | 27.8% |
| Some Other Race Alone | 952 | 2.2% | 736 | 77.3% | 216 | 22.7% |
| Two or More Races | 1696 | 4% | 1351 | 79.7% | 345 | 20.3% |
| Total Households | 42652 | 100% | 23726 | 55.6% | 18926 | 44.4% |
| White Alone, Not Hispanic or Latino | 31562 | 74% | 16088 | 51.0% | 15474 | 49.0% |
| Hispanic or Latino | 4125 | 9.7% | 3268 | 79.2% | 857 | 20.8% |

Source: 2013-2017 American Community Survey 5-Year Estimates

IV. IDENTIFICATION OF IMPEDIMENTS TO FAIR HOUSING

A. EVIDENCE OF SEGREGATION

Past systemic, institutionalized, and individual racism determined where people of color could live in the United States, and often there is still evidence of the impacts of these policies and practices in housing patterns today.

1. Historic Systems of Racism

a. Personal Histories

After serving in the Navy during WWII, Carl C. Gipson decided to settle in Everett, since "a black person couldn't get a place in Anacortes, or Mount Vernon, or on the [Whidbey] island" (Gipson interview).²² At the time, there were only five or six black families in Everett. Initially, Mr. Gipson and his wife, Jodie, lived in "the projects" in Everett. When the Gipsons decided to buy a home in 1954, most realtors would only sell African Americans homes east of the railroad tracks that paralleled Smith Avenue. However, one realtor showed the Gipsons, at night, a home near 19th and Hoyt Avenue, then an all-white neighborhood. After purchase funds were arranged to be deposited into the sellers' account, the seller called Mr. Gipson and told him that neighbors were threatening to burn down the house and she couldn't go through with the sale. Mr. Gipson told the seller, "Well, you can do one thing. There can be two families in that house, because we're going to move in" (Gipson interview). The Gipsons moved into the house with their two sons. Carl C. Gipson was the first African American elected to the Everett City Council in 1971, and served on the Council for 24 years.

b. Redlining

In the late 1930s, the Home Owners' Loan Corporation (HOLC) graded neighborhoods into four categories, based in large part on racial makeup. Neighborhoods with minority occupants were marked in red — redlined — and considered high-risk for mortgage lenders. HOLC maps of the largest cities have recently become available to the public, including Seattle, Spokane, and Tacoma, which were heavily redlined.²³ **HOLC mapping is not available for Snohomish County, therefore it is unknown whether HOLC reached this far north, and if so, to what extent.**

c. Steering by Real Estate Agents

Segregation throughout the nation was also perpetuated by the institutionalized policies of real estate associations and the steering practices of individual real estate agents, away from or to certain neighborhoods based on race. National and local real estate associations included

²² <https://historylink.org/File/10696>

²³ <https://dsl.richmond.edu/panorama/redlining/#loc=13/47.668/-117.441&city=spokane-wa&area=D10&text=downloads>

in their bylaws and codes of ethics, prohibitions on introducing into a neighborhood people of a race whose presence was believed to negatively affect property values.

For example, the National Code of Ethics for Realtors stated: Part III, Article 34. A Realtor should never be instrumental in introducing into a neighborhood ... members of any race or nationality, or any persons whose presence will be detrimental to property values in that neighborhood.

d. **Restrictive Residential Real Estate Covenants**

Real estate developers also played a crucial role in ensuring that people of color could not live in certain neighborhoods throughout the United States. Racially restrictive covenants were often included in plats, subdivisions, and deeds, for homes in neighborhoods. It is unknown how pervasive these are in Snohomish County, but they have been identified in older neighborhoods in Everett. For example, one covenant from Mukilteo Boulevard, signed, dated, and notarized on February 18, 1944 states²⁴:

Item 9: Racial Restrictions. "No race or nationality other than the White or Caucasian race shall use or occupy any building on any lot, except that this covenant shall not prevent occupancy by domestic servants of a different race of nationality employed by an owner or tenant."

The covenant stated it was binding through January 1, 1960, automatically renewing "for successive periods of ten (10) years" unless a majority of the owners vote to change said covenants in whole or in part.

In 1948, in *Shelley v. Kraemer*, the United States Supreme Court unanimously ruled that restrictive covenants were unenforceable by state or federal courts. However, restrictive covenants continued to be added in many property records into the 1950s. The ability of County Auditors to remove such language pursuant to the following provisions in the WA Revised Code of Washington has been the subject of recent litigation:

If a written instrument contains a provision that is void by reason of RCW [49.60.224](#), the owner, occupant, or tenant of the property which is subject to the provision or the homeowners' association board may cause the provision to be stricken from the public records by bringing an action in the superior court in the county in which the property is located. The action shall be an in rem, declaratory judgment action whose title shall be the description of the property. The necessary party to the action shall be the owner, occupant, or tenant of the property or any portion thereof. The person bringing the action shall pay a fee set under RCW [36.18.012](#).

If the court finds that any provisions of the written instrument are void under RCW [49.60.224](#), it shall enter an order striking the void provisions from the public records and eliminating the void provisions from the title or lease of the property described in the complaint.

RCW 49.60.227.

²⁴ Kerley, Joni. "Does Your Home's CCR's Include Bizarre Restrictions?" Everett Area Real Estate Blog – Discovering All of Snohomish County WA. Mar. 12, 2012 at <http://activerain.com/blogsviw/3035622/does-your-home-s-ccr-s-include-bizarre-restrictions>

In May 2019, a Superior Court Commissioner agreed with the Spokane County Auditor that she was not legally permitted to remove the covenants. That decision is under appeal.

In 2018, the WA Legislature enacted an alternative process, which allows a property owner to record a modification document that does not remove the discriminatory language but advises that it exists. The following legal provision went into effect on January 1, 2019:

Restrictive covenant modification document as alternative. (2)(a) As an alternative to the judicial procedure set forth in subsection (1) of this section, the owner of property subject to a written instrument that contains a provision that is void by reason of RCW 49.60.224 may record a restrictive covenant modification document with the county auditor, or in charter counties the county official charged with the responsibility for recording instruments in the county records, in the county in which the property is located. (b) The modification document shall contain a recording reference to the original written instrument. (c) The modification document must state, in part: "The referenced original written instrument contains discriminatory provisions that are void and unenforceable under RCW 49.60.224 and federal law. This document strikes from the referenced original instrument all provisions that are void and unenforceable under law." (d) The effective date of the modification document shall be the same as the effective date of the original written instrument. (e) If the owner causes to be recorded a modification document that contains modifications not authorized by this section, the county auditor or recording officer shall not incur liability for recording the document. Any liability that may result is the sole responsibility of the owner who caused the recordation. (f) No filing or recording fees or otherwise authorized surcharges shall be required for the filing of a modification document pursuant to this section. (3) For the purposes of this section, "restrictive covenant modification document" or "modification document" means a standard form developed and designed by the Washington state association of county auditors.

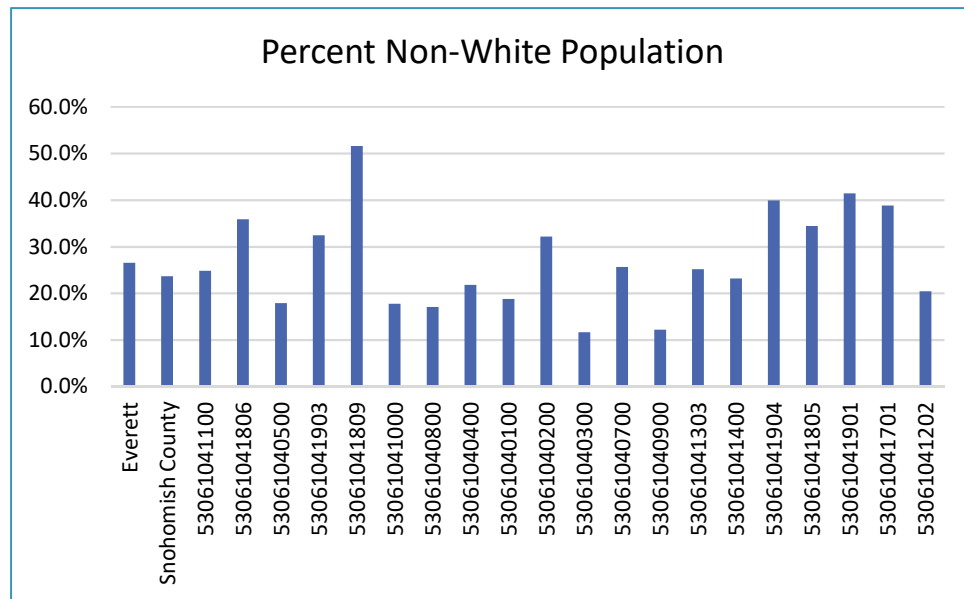
RCW 49.60.227.²⁵

²⁵ <https://app.leg.wa.gov/RCW/default.aspx?cite=49.60.227>

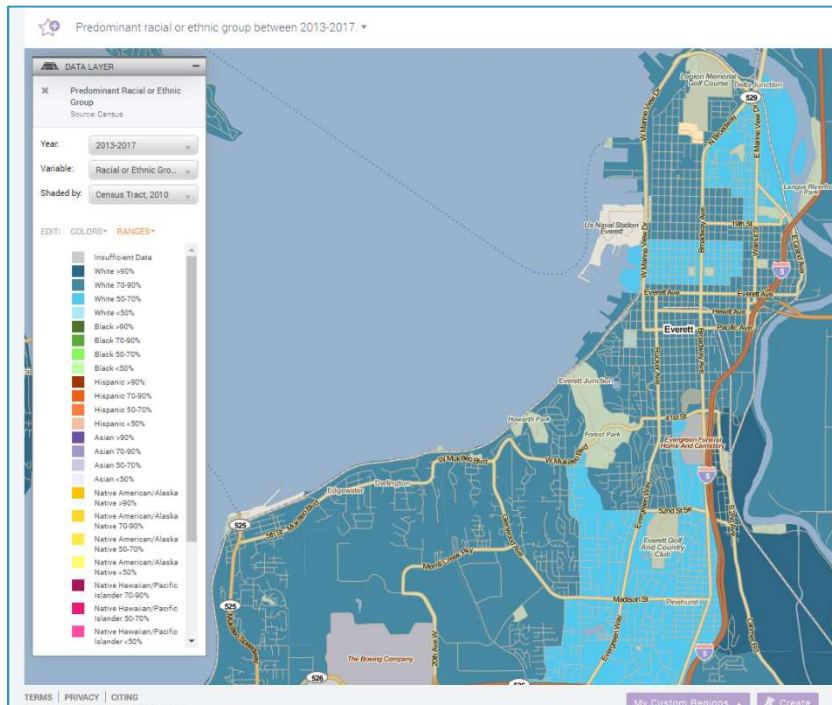
2. Segregation Today

Today people of color in Everett are concentrated in tracts 41809, 41806, 40200, 41904, 41805, 41901, 41701 (all which have over 30% non-white populations). Chart 10 and Map 29 and 30). See also Table 5. White populations are inversely lowest in these areas (Maps 31 and 32). See also Maps 7 – 12.

Chart 10



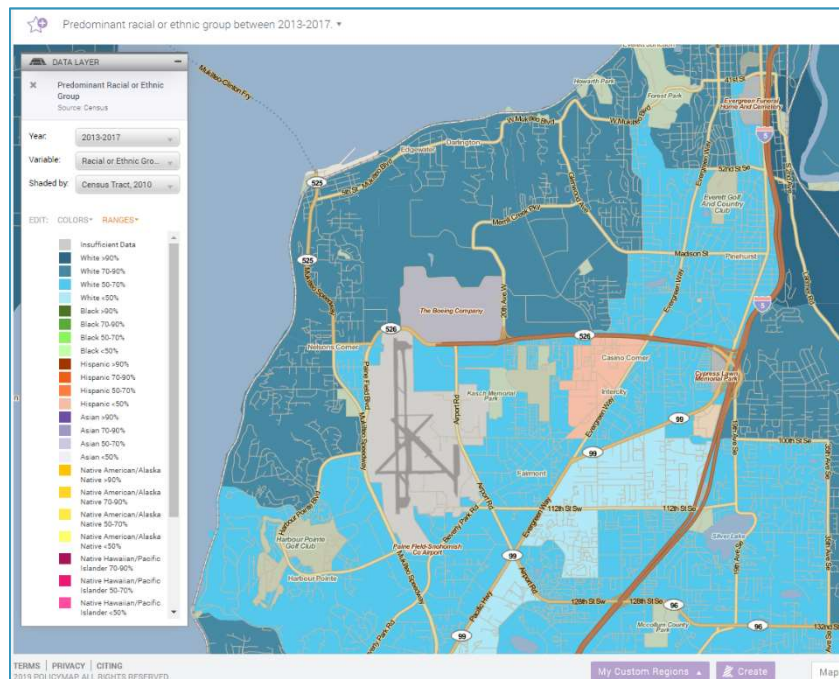
Source: 2014-2018 ACS



MAP 29

**PREDOMINANT RACIAL OR
ETHNIC GROUP
2013-2017**

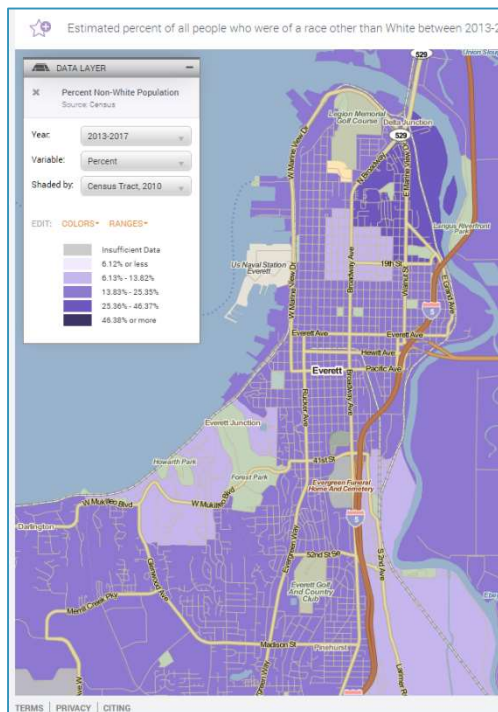
Source: <https://www.policymap.com/maps>



MAP 30

**PREDOMINANT RACIAL OR ETHNIC GROUP
2013-2017**

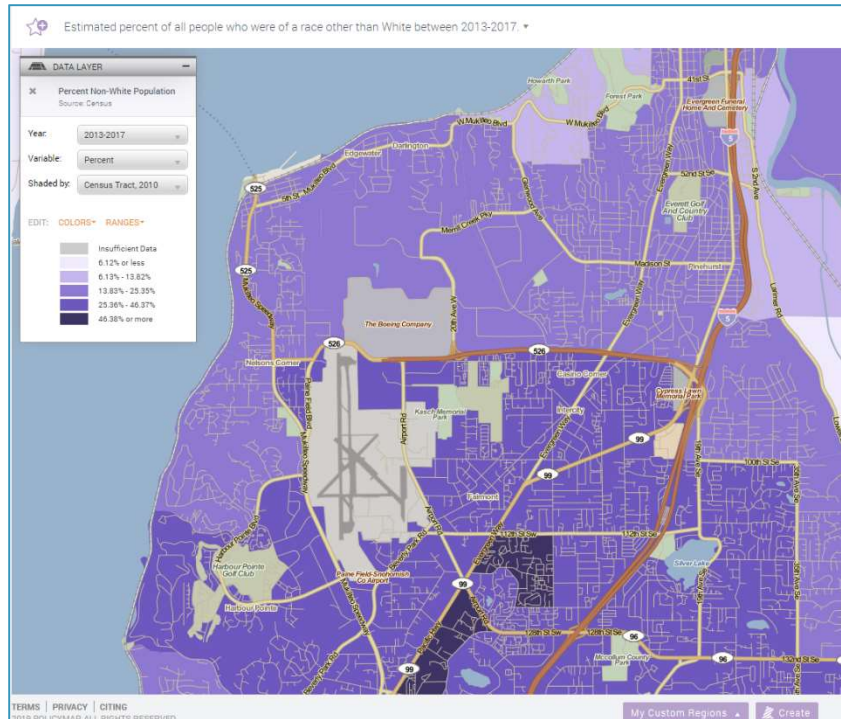
Source: <https://www.policymap.com/maps>



MAP 31

NON-WHITE POPULATION

Source: <https://www.policymap.com/maps>



**MAP 32
NON-WHITE
POPULATION**

Source: <https://www.policymap.com/maps>

Disproportionate Concentrations of Non-White Populations

HUD defines a racially or ethnically concentrated area of poverty (R/ECAP) as having a non-white population of 50% or more, where 40% or more of the population is at or below the poverty line (or the poverty rate is greater than 3 times the average poverty rate in the area). Everett does not have any R/ECAP designated tracts.

Areas of disproportionate concentration are those in which there is a greater than 10% difference than the jurisdiction as a whole. Everett has 24 block groups where non-white races exceed 10% of their percentage in the overall jurisdiction. African Americans exceed 14.2% of the population in 4 block groups in Northwest, Holly, Westmont, and Cascade View neighborhoods. Asians exceed 18.8% of the population in 11 block groups. Native Americans have greater than 11% populations in 2 block groups. Native Hawaiian and Pacific Islanders exceed 11.3% in two block groups. People who are two or more races exceed 16.5% in 4 block groups. Only one block group is an area of disproportionate concentration for more than one non-white race: 530610419052 for black and Asians.

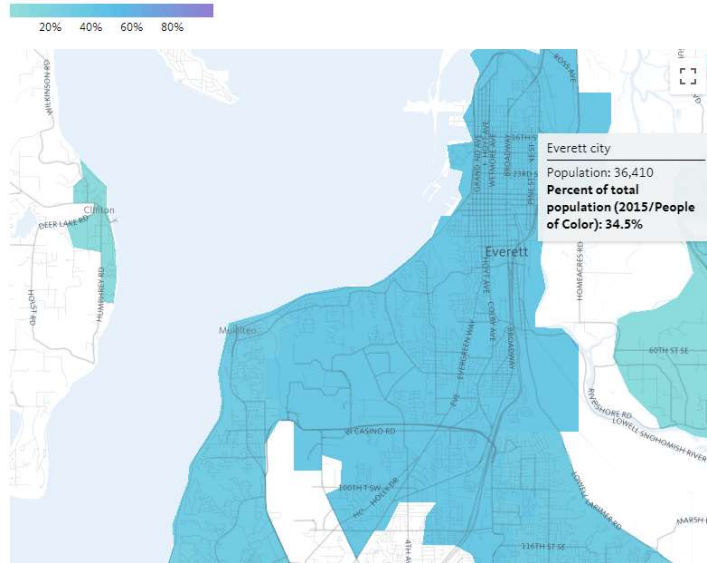
| Table 18: Areas of Disproportionate Concentrations of Non-White Races | | | |
|---|------------------------------------|-------------------|-----------------------|
| Block Group | Race | % of Everett pop. | % of block group pop. |
| 530610419052 | African American / Black | 4.2 | 15.4 |
| 530610419042 | African American / Black | 4.2 | 22.7 |
| 530610418091 | African American / Black | 4.2 | 16.89 |
| 530610401002 | African American / Black | 4.2 | 15.83 |
| 530610402001 | Asian | 8.8 | 22.22 |
| 530610413033 | Asian | 8.8 | 23.4 |
| 530610412023 | Asian | 8.8 | 20.3 |
| 530610418053 | Asian | 8.8 | 19.3 |
| 530610418052 | Asian | 8.8 | 21.6 |
| 530610419033 | Asian | 8.8 | 20.5 |
| 530610419052 | Asian | 8.8 | 29.9 |
| 530610419012 | Asian | 8.8 | 26.6 |
| 530610419011 | Asian | 8.8 | 25.9 |
| 530610418122 | Asian | 8.8 | 30 |
| 530610413032 | Asian | 8.8 | 19.2 |
| 530610414003 | Native American | 1 | 12.7 |
| 530610418101 | Native American | 1 | 15.2 |
| 530610418051 | Native Hawaiian / Pacific Islander | 1.3 | 19.8 |
| 530610414004 | Native Hawaiian / Pacific Islander | 1.3 | 13.5 |
| 530610413001 | Native Hawaiian / Pacific Islander | 1.3 | 12.9 |
| 530610412012 | Two or More Races | 6.5 | 17 |
| 530610418061 | Two or More Races | 6.5 | 17.9 |
| 530610418093 | Two or More Races | 6.5 | 19.7 |
| 530610418103 | Two or More Races | 6.5 | 26.5 |

Source: ACS 2014-2018 data.

Combining all non-white races with Hispanic ethnicity, so that “racial and ethnic minority” is defined as Hispanic and / or a race other than white alone (single race), 34.8% of the 2017 total population in Everett was minority (total population (107,560) minus white non-Hispanics (70,167) as a percent of total population). 2017 ASC. See also Map 33.

Race/ethnicity Washington

Breakdown:
Percent population by Place, 2015 (For: People of Color)



MAP 33

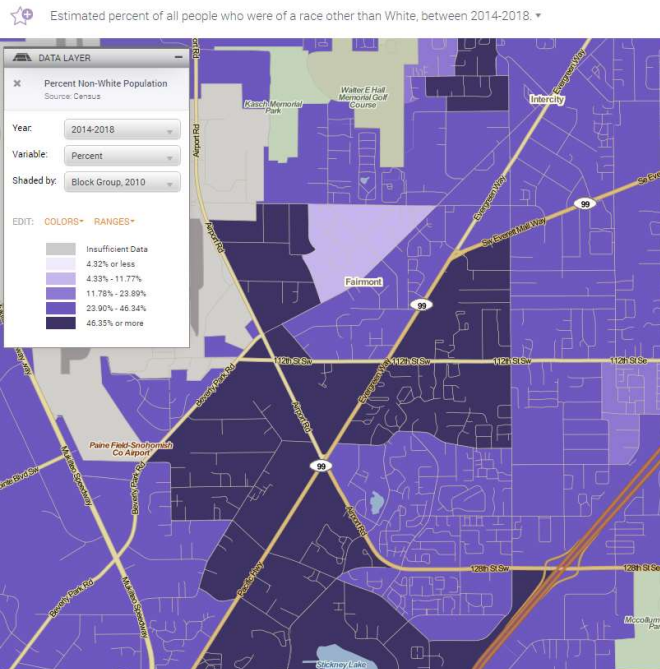
**PEOPLE OF COLOR
2015**

Source:

https://nationalequityatlas.org/indicators/false/Percent_population:41391/Washington/false/geotype:county/value1:2015/value2:7/geo_parents.state:53/

Using the definition of disproportionate minority concentration as all-non-white races with Hispanic ethnicity at greater than 10% of the jurisdiction’s overall percentage, any Everett block group with greater than 44.8% (34.8% + 10%) minority population is considered to have a disproportionate minority concentration. Everett has 6 block groups with non-white populations exceeding 44.8%, all around Holly, Cascade View, and Westmont neighborhoods. See Table 19 and Map 34.

| Table 19: Disproportionate Concentrations of Non-White Populations | |
|--|-------------------|
| Block Group | Percent Non-White |
| 530610419042 | 46.6 |
| 530610418122 | 47.3 |
| 530610419052 | 48.4 |
| 530610418091 | 50.1 |
| 530610419012 | 50.4 |
| 530610418061 | 54.5 |
| 530610418093 | 63.5 |



Source: <https://www.policymap.com/maps>

MAP 34

Disproportionate Concentrations of People of Color by Block Group 2015

Race and Ethnicity Dissimilarity Index

A dissimilarity index is a measure of community level segregation. The values of a dissimilarity index range from 0 to 100, with a value of zero representing perfect integration between racial groups, and a value of 100 representing perfect segregation. A dissimilarity index of less than 40 is deemed low segregation, while greater than 55 indicates high segregation.²⁶

Everett has low dissimilarity indexes for white to non-white, black, Hispanic, and Asian and Pacific Islander (ranging from 23.2 – 28.5). The dissimilarity index for white to Asian and Pacific Islanders is highest, at 28.5. Everett's dissimilarity rates for all races have increased since 1990, with the exception of whites to Asian, which is currently similar to the 1990 rate. Everett rates are overall lower than Snohomish County's.

| TABLE 20 - HUD AFFH-T Table 3 – Racial/Ethnic Dissimilarity Trends | | | | | | | | |
|---|---------------------------------|------------|------------|---------|-------------------------------------|------------|------------|---------|
| | (Everett, WA CDBG) Jurisdiction | | | | (CNSRT-Snohomish County, CONSORTIA) | | | |
| Racial/Ethnic Dissimilarity Index | 1990 Trend | 2000 Trend | 2010 Trend | Current | 1990 Trend | 2000 Trend | 2010 Trend | Current |
| Non-White / White | 17 | 16.9 | 21 | 23.2 | 20.5 | 22.9 | 25.2 | 30 |
| Black / White | 19.7 | 20 | 17.4 | 25.1 | 30.3 | 33.5 | 34 | 42 |
| Hispanic / White | 13.2 | 20 | 27.3 | 27.7 | 15 | 23.1 | 26.9 | 30.4 |
| Asian or Pc. Is. /White | 28.4 | 26.5 | 24.2 | 28.5 | 32.5 | 31.9 | 33.2 | 39.4 |
| Note 1: Data Sources: Decennial Census | | | | | | | | |
| Note 2: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation). | | | | | | | | |

Source: HUD AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/> (Data from Decennial Census 2010, 2000)

²⁶ See *AFFH Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019.

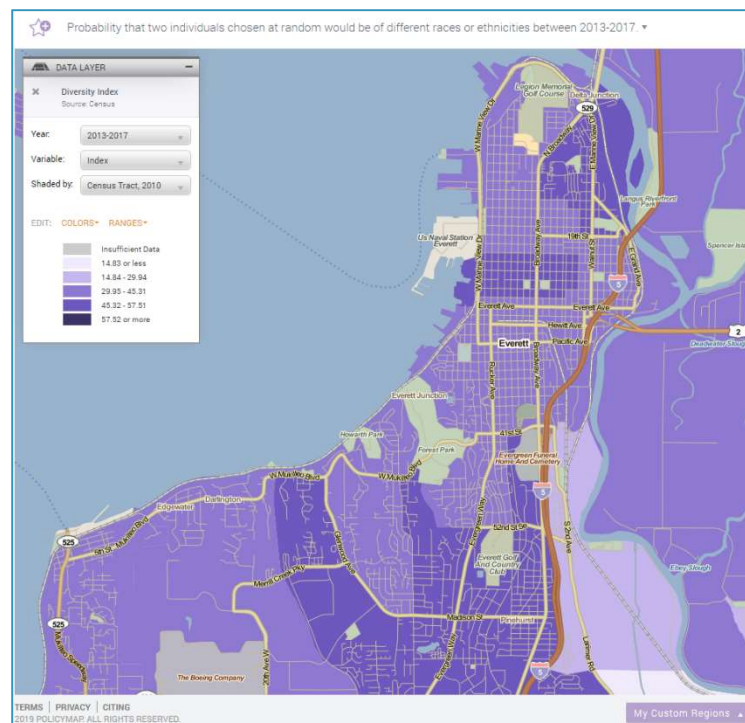
Diversity Index

The diversity index is an index ranging from 0 to 87.5 that represents the probability that two individuals, chosen at random in the given geography, would be of different races or ethnicities. Values between 0 and 20 suggest more homogeneity and values above 50 suggest more heterogeneity. Racial and ethnic diversity can be indicative of economic and behavioral patterns. For example, racially and ethnically homogenous areas may sometimes represent concentrated poverty or wealth or indicate past or present discriminatory housing policies or barriers.

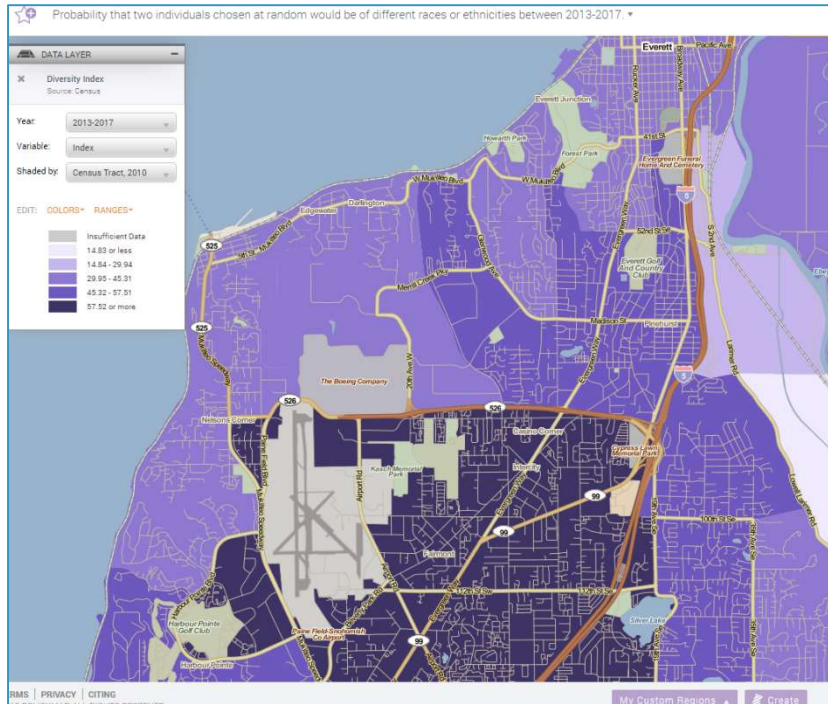
Between 2013 and 2017, zip codes 98201, 98203, and 98204 had diversity indices of 43.02, 45.06, and 69.02 respectively. Seven tracts in Everett had index values between 60.74 and 68.82 (41701, 41805, 41806, 41901, 41903, 41904, and 41905); eight tracts had values between 48.32-56.01 (40200, 40400, 41100, 41202, 41303, 41400, 41605, & 41606). Other tracts had values in the 30s and 40s (40900 and 41301 had the lowest values, 30.54 and 30.52). Tract 41500 had a value of only 18.38.

The darkest tracts on Maps 35 and 36 have the highest diversity indexes while the lightest tracts have the lowest diversity.

MAP 35
DIVERSITY INDEX



Source: <https://www.policymap.com/maps> (ACS 2013-2017)



MAP 36
DIVERSITY INDEX

Source: <https://www.policymap.com/maps> (ACS 2013-2017)

B. MEASUREMENTS OF OPPORTUNITY

The HUD AFFH-T Tables below (Tables 22 and 23) summarize the results for Everett and the Snohomish County Urban Consortium for seven opportunity indexes: Low Poverty, School Proficiency, Labor Market, Transit, Low Transportation Cost, Jobs Proximity, and Environmental Health. For each category, a higher index rate correlates to higher opportunity.

Overall, low transportation cost and transit indices were the highest indices of any category for all races, in the low eighties. Whites had the lowest indices, and Hispanics had the highest; when only those below the poverty line were considered, whites still had the lowest indices, but Asians had the highest. However, the spread across races for low transportation cost and transit was only 2.75 and 3 points respectively.

The index rates for low poverty were in the high thirties and low forties for all races, with the biggest difference (7.4) between white non-Hispanics (44.02) and Hispanics (36.66). The same pattern holds for school proficiency (whites have the highest index (46.4) and Hispanics the lowest (37.5), with a rate spread of 8.9). When only the population below the poverty line are considered, whites still had the highest indices for low poverty and school proficiency, but Asians and Pacific Islanders, rather than Hispanics, had the lowest indices.

Whites had the second highest labor market index (41), after Asians, while Hispanics tied with Native Americans (35.8) for the lowest rates, a difference of 5.2 points). For those under the poverty line, Asians again had the highest labor market index, and Native Americans the lowest.

For job proximity, Asians had the lowest rate (57.6) and Hispanics had the highest rate (64.3), for a difference of 6.7. Below the poverty line, Asians still had the lowest job proximity index, but Native Americans had the highest index.

The environmental health indices for all races were very low, with the highest rate (whites) only 6.51. The spread between the highest and lowest environmental health indices was only 1.6 points, with Hispanics having the lowest index (5.3).

Compared to Snohomish County, Everett averaged lower indices for low poverty, school proficiency, labor market, and environmental health, and higher indices for transit, low transportation, and jobs proximity. See Tables 21 and 22.

Table 21: HUD AFFH-T Table 12 – Opportunity Indicators, by Race/Ethnicity

| (Everett, WA CDBG) Jurisdiction | Low Poverty Index | School Proficiency Index | Labor Market Index | Transit Index | Low Transportation Cost Index | Jobs Proximity Index | Environmental Health Index |
|---|-------------------------|--------------------------------|--------------------------|------------------|-------------------------------------|----------------------------|-------------------------------|
| Total Population | | | | | | | |
| White, Non-Hispanic | 44.02 | 46.38 | 41.01 | 81.52 | 81.83 | 61.06 | 6.51 |
| Black, Non-Hispanic | 39.36 | 42.75 | 38.00 | 83.60 | 83.86 | 63.32 | 5.98 |
| Hispanic | 36.66 | 37.51 | 35.80 | 84.56 | 84.58 | 64.34 | 5.32 |
| Asian or Pacific Islander, Non-Hispanic | 43.47 | 40.41 | 42.34 | 82.81 | 82.95 | 57.56 | 6.39 |
| Native American, Non- Hispanic | 38.61 | 44.91 | 35.76 | 82.75 | 83.12 | 63.94 | 6.02 |
| Pop. below federal poverty line | | | | | | | |
| White | 34.98 | 45.06 | 33.46 | 82.74 | 83.41 | 64.09 | 5.95 |
| Black | 30.58 | 39.01 | 30.95 | 85.49 | 84.29 | 57.62 | 6.79 |
| Hispanic | 31.57 | 34.61 | 33.72 | 85.17 | 85.15 | 62.85 | 5.16 |
| Asian or Pacific Islander | 28.31 | 33.32 | 34.28 | 87.62 | 86.46 | 57.23 | 7.15 |
| Native American | 42.33 | 55.13 | 23.79 | 84.42 | 84.96 | 74.11 | 5.64 |
| Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA | | | | | | | |
| Note 2: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation). | | | | | | | |

Table 22: HUD AFFH-T Table 12 – Opportunity Indicators, by Race/Ethnicity

| (CNSRT-Snohomish County, WA CONSORTIA) Jurisdiction | Low Poverty Index | School Proficiency Index | Labor Market Index | Transit Index | Low Transportation Cost Index | Jobs Proximity Index | Environment al Health Index |
|---|-------------------------|--------------------------------|--------------------------|------------------|-------------------------------------|----------------------------|-----------------------------------|
| Total Population | | | | | | | |
| White, Non-Hispanic | 63.21 | 56.57 | 55.90 | 68.19 | 68.85 | 45.30 | 29.41 |
| Black, Non-Hispanic | 53.20 | 53.55 | 52.04 | 77.14 | 77.17 | 51.87 | 16.26 |
| Hispanic | 52.84 | 50.25 | 48.89 | 74.73 | 74.65 | 52.15 | 21.42 |
| Asian or Pacific Islander, Non-Hispanic | 62.59 | 60.15 | 62.11 | 75.12 | 73.93 | 46.11 | 16.22 |
| Native American, Non- Hispanic | 51.26 | 40.96 | 41.38 | 63.89 | 68.60 | 51.31 | 34.81 |
| Population below federal poverty line | | | | | | | |
| White, Non-Hispanic | 51.84 | 51.45 | 47.70 | 71.57 | 72.70 | 49.94 | 25.93 |
| Black, Non-Hispanic | 40.68 | 47.98 | 43.35 | 78.93 | 79.55 | 53.76 | 14.45 |
| Hispanic | 42.42 | 44.74 | 41.64 | 78.00 | 78.47 | 53.39 | 18.21 |
| Asian or Pacific Islander | 49.11 | 56.93 | 54.43 | 80.27 | 80.18 | 51.38 | 12.69 |
| Native American | 51.81 | 37.49 | 43.46 | 60.27 | 64.09 | 50.55 | 39.72 |
| Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA | | | | | | | |
| Note 2: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation). | | | | | | | |

Source: Data and Mapping Tool, <https://egis.hud.gov/affht/>

1. Education

Of the population 25 years and over in Everett, 87.5% are high school graduates or higher; 22.6% have a bachelor's degree or higher; and 12.5% of the population has not completed high school (2014-2018 American Community Survey 5-Year Estimates).

| Everett: Table 23 Education Attainment 2013-2017 | | |
|--|------------|-------|
| EDUCATIONAL ATTAINMENT | POPULATION | |
| Population 25 years and over | 73,391 | |
| Less than 9 th grade | 3,308 | 4.5% |
| 9 th to 12 th grade no diploma | 5,533 | 7.5% |
| High school graduate (includes equivalency) | 19,349 | 26.4% |
| Some college, no degree | 20,195 | 27.5% |
| Associate's degree | 8,124 | 11.1% |
| Bachelor's degree | 12,058 | 16.4% |
| Graduate or professional degree | 4,824 | 6.6% |

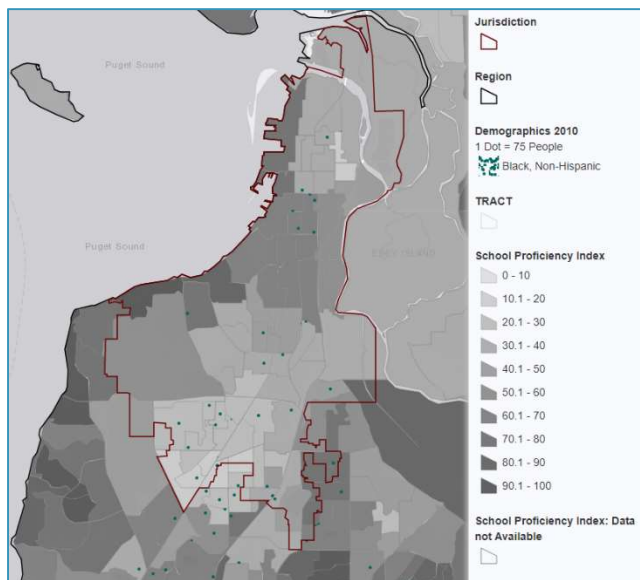
Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

Total school enrollment in 2014-2018 was 24,119: Nursery school enrollment was 1,499; kindergarten through 12th grade enrollment was 16,476; and college or graduate school enrollment was 6,144. (2014—2018 ACS 5-Year Narrative Profile, Everett)

School Proficiency Index

The school proficiency index uses school-level data on the performance of 4th grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower performing schools. The school proficiency index is a function of the percent of 4th grade students proficient in reading and math on state test scores for up to three schools within 3 miles of the block group centroid. Values are percentile ranked at the state level and range from 0 to 100. The higher the score, the higher the quality of the school system in a neighborhood.²⁷

The index rates for school proficiency were in the high thirties and low forties for all races, with the biggest difference between white non-Hispanics (46.4) and Hispanics (37.5), with a rate spread of 8.9. When only the population below the poverty line are considered, whites still had the highest indices for school proficiency, but Asians and Pacific Islanders, rather than Hispanics, had the lowest indices. Compared to Snohomish County, Everett averaged lower indices for school proficiency. See Tables 21 and 22.



MAP 37 – SCHOOL PROFICIENCY AND BLACK DEMOGRAPHICS

The darker the census tracts on HUD AFFH-T Map 7, the better the quality of the schools.

Source: Map 7 – HUD Data and Mapping Tool, <https://egis.hud.gov/affht/>

²⁷ See *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019, Cloud Nine Technologies and Brent Mast, HUD Office of Policy Development and Research.

2. Income and Poverty

a. Income

Chart 11

Median Household Income - Everett



Median household income in Everett in 2018 was \$62,946 (family household income was \$75,537 and non-family household income was \$47,333). (ACS 2018)

6.7% of households had income below \$10,000.

3.8% of households had income of \$200,000 or more.

Source: Source: 2014—2018 ACS 5-Year Narrative Profile, Everett City, WA

Nearly 80% of households received earnings, 27% of households received Social Security, 15.7% of households received retirement income other than Social Security, 7.5% of households received Supplemental Security Income (SSI), and 5% of households received cash public assistance income. Some households received income from more than one source therefore combined percentages exceed 100. (2014—2018 ACS 5-Year Narrative Profile, Everett City, WA)

The median earnings for full-time year round workers in Everett in 2018 was \$44,950. Median earnings for males working full-time, year-around was about 20% higher than that for equivalently working female workers. Table 24.

| TABLE 24: MEDIAN EARNINGS FOR FULL-TIME YEAR-ROUND WORKERS BY SEX 2014-2018 - EVERETT | |
|--|----------|
| MEASURES OF INCOME* | |
| Median earnings workers full time, year round workers | \$44,950 |
| Median earnings male | \$49,750 |
| Median earnings female | \$41,436 |

Source: 2014—2018 ACS 5-Year Narrative Profile, Everett City, Washington

The average income from Social Security was \$17,599.

| Table 25: INCOME DISTRIBUTION BY OWNER / RENTERS - EVERETT | | | | | | |
|--|--------------------|-----------------------------|---------------------|------------------------------|--------------------|---------------------|
| Income Distribution Overview | Owner | | Renter | | Total | |
| | # owner households | % of total owner households | # renter households | % of total renter households | # households | % of all households |
| Household Income <= 30% HAMFI | 1930 | 10.5% | 7775 | 32.7% | 9705 | 23% |
| Household Income >30% to <=50% HAMFI | 2460 | 13.3% | 5700 | 24% | 8160 | 19.3% |
| Household Income >50% to <=80% HAMFI | 2185 | 11.8% | 3865 | 16.3% | 6050 | 14.3% |
| Household Income >80% to <=100% HAMFI | 2310 | 12.5% | 2200 | 9.3% | 4510 | 10.7% |
| Household Income >100% HAMFI | 9580 | 51.9% | 4215 | 17.7% | 13795 | 32.7% |
| | # owner households | % of all households | # renter households | % of all households | # owner households | % of all households |
| Total | 18465 | 44.7% | 23755 | 56.3% | 42220 | 100% |

Source: CHAS 2012-2016 ACS https://www.huduser.gov/portal/datasets/cp.html#2006-2016_query

As of 2017, white median household income was slightly higher than overall median income. Asian median income was the highest (135%), while black and Hispanic median income were 82% and 83% of median income respectively. Native American households had only 66% of area median income. Table 26.

As noted in, *The State of Evictions: Results from the University of Washington Evictions Project*:

The legacy of segregation has largely contributed to the consistently low incomes for black and Latinx households where redlining, block-busting, and housing covenants disallowed lending to households of color and access to segregated white neighborhoods that saw improved conditions.²⁸

| Table 26: MEDIAN HOUSEHOLD INCOME BY RACE 2013-2017 | | | | |
|---|------------------|------------------------|----------|------------------------|
| Race / Ethnicity | Snohomish County | % of all median income | Everett | % of all median income |
| All | \$78,020 | 100% | \$54,562 | 100% |
| Asian | \$88,622 | 114% | \$73,981 | 135% |
| White | \$78,809 | 101% | \$55,638 | 102% |
| Black | \$62,093 | 80% | \$44,634 | 82% |
| Hispanic | \$59,138 | 76% | \$45,241 | 83% |
| Native American / AK Native | \$59,002 | 76% | \$36,094 | 66% |

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

²⁸ *The State of Evictions: Results from the University of Washington Evictions Project*, Timothy A. Thomas, Ott Toomet, Ian Kennedy, and Alex Ramiller, U. of WA, <https://evictions.study/washington/results.html#eviction-counts>

b. Poverty

Measurements of Poverty

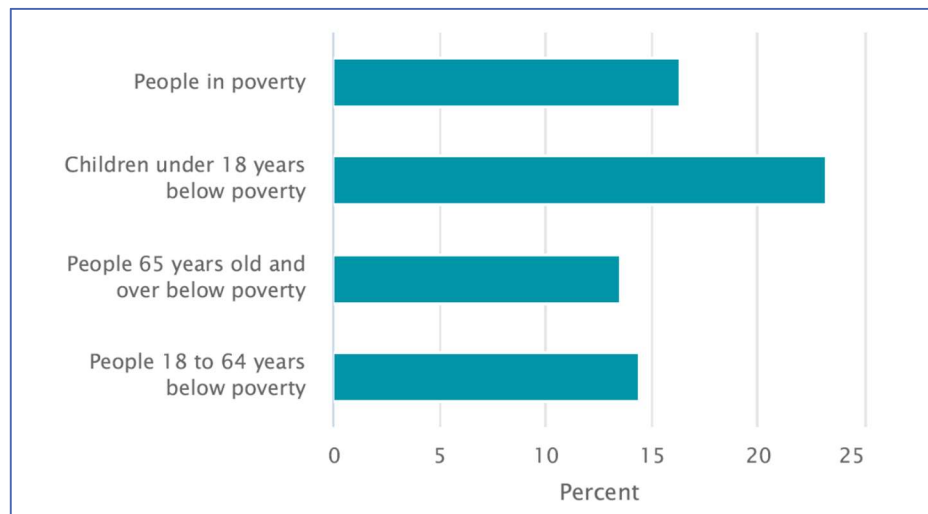
Poverty Thresholds: The US Census Bureau uses income thresholds that vary by family size and composition to determine who is in poverty.²⁹ If a family's total income is less than the family's threshold, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using the Consumer Price Index (CPI-U). The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps). Income includes income of all related family members that live together.

Approximately 16.3% of Everett residents live in poverty (ACS, "Narrative Profile: City of Everett", 3/21/19). As of 2018, 22% of those under 18, 13.4% of those 65 and older, and 13% of people 18-64, lived in poverty, at higher rates than the County and State. Table 27.

| Table 27: Poverty 2014-2018 | | | |
|-----------------------------|---------|--------|------------|
| POPULATION | EVERETT | COUNTY | WASHINGTON |
| Under 18 | 21.9% | 9.9% | 14.6% |
| 65 and older | 13.4% | 7.4% | 7.7% |
| 18 to 64 | 13% | 7.6% | 11.2% |

Source: 2014—2018 ACS 5-Year Narrative Profiles, Everett, Snohomish County, and WA.

Chart 12
Poverty Rates for
Everett Residents



Source: American Community Survey Narrative Profile for City of Everett, March 2019;

<https://everettwa.gov/2267/Census-Demographic-Info>

People of color, except Asians, are on average more likely to live in poverty in Everett: 24.3% of black people, 25% of Native Americans / Alaska Natives, 21.8% Hispanics and Latinos, and 28.6% of those who are two or more races. Fourteen and a half percent of whites and 13.2% of Asians live below the poverty level. Table 28. Similar racial disparities exist throughout the County, although the poverty rates are lower than in Everett.

²⁹ <https://www.census.gov/topics/income-poverty/poverty/guidance/poverty-measures.html>

| Table 28: POVERTY STATUS IN PAST 12 MONTHS BY RACE – 2013-2017 ACS 5 YEAR ESTIMATE | | |
|---|---------|--------|
| Population | Everett | County |
| Individuals (all) | 16.3% | 8.8% |
| White (non-Hispanic) | 14.5% | 7.6% |
| Black | 24.3% | 14.1% |
| American Indian | 25.1% | 15.5% |
| Asian | 13.2% | 8.6% |
| Hawaiian Native / Pacific Islander | 4.2% | 3.2% |
| Some Other Race | 14.6% | 17.6% |
| 2 or more Races | 28.6% | 11.8% |
| Hispanic / Latino | 21.8% | 15.6% |

Source: 2017 ACS 5 YEAR ESTIMATE

Federal Poverty Level (FPL) Guidelines: FPL guidelines are determined by the US Dept. of Health and Human Services, to establish income ranges, based on family size and age, below which a household is deemed to be living in poverty for purposed of eligibility for federal programs. Income includes wages and salaries, unearned income and most transfer payments. Income does not include the value of non-cash benefits such as food stamps, housing subsidies or Medicaid. The FPL does not vary by geographic region, but is adjusted each fiscal year for changes in cost of living, based on the Consumer Price Index.

HUD publishes annual income thresholds. Everett’s thresholds are based on the Seattle-Bellevue, WA HUD Metro FMR Area. Thresholds are limits on percentage of median family income. Median family income for FY2019 for the Seattle-Bellevue Metro Area was \$108,600.³⁰ The average Everett household size is 2.44 people. (ACS, “Narrative Profile: Ci. of Everett”, 3/21/19). The FY2019 income thresholds for the area that includes Everett for a family of 3 are: \$79,450 (“Low Income” (80% AMI)); \$49,850 (“Very Low (50% AMI)); and \$29,900 (“Extremely Low” (30% AMI)).

In 2018, 38.6% of all Everett households (33.1% of family households and 54.2% of non-family households) had less than \$50,000 annual income. (ACS 2018) Therefore, nearly 39% of all Everett households were very low-income (50% AMI). More than 57.3% of all households in Everett, (49.5% family households and 80.4% of non-family households) had income less than \$75,000. (ACS 2018), and were therefore low income.

ALICE: “ALICE” is an acronym for Asset Limited, Income Constrained, and Employed, which are households with income above the Federal Poverty Level but below the basic cost of living. A household includes all people who occupy a housing unit but does not include group quarters such as a dorm, nursing home, or prison. According to the 2018 United Way ALICE Report, 43% of all households in Snohomish County meet the definition for ALICE.³¹

³⁰ <https://www.huduser.gov/portal/datasets/il/il2019/2019summary.odn>

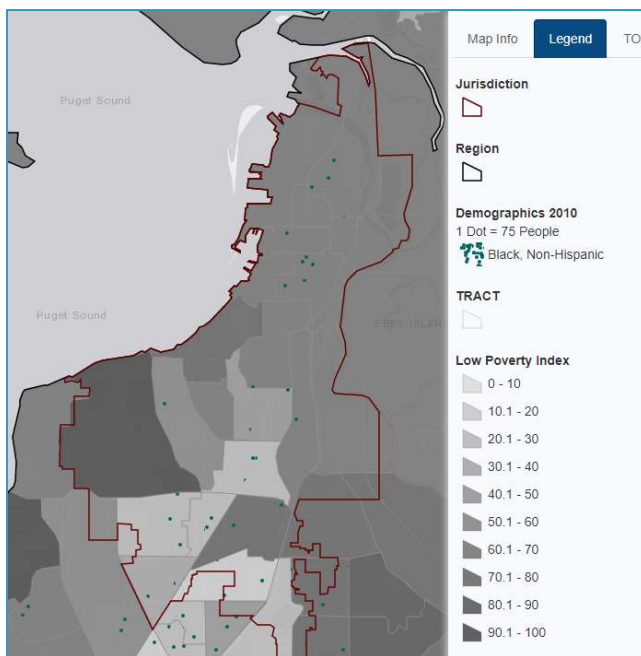
³¹ <https://www.unitedforalice.org/all-reports>

Low Poverty Index

The low poverty index identifies poverty by census tract. Values range from 0 to 100. The higher the score, the less exposure to poverty in a neighborhood.³²

The index rates for low poverty were in the high thirties and low forties for all races, with the biggest difference (7.4) between white non-Hispanics (44.02) and Hispanics (36.66). When only the population below the poverty line are considered, whites still had the highest indices for low poverty, but Asians and Pacific Islanders, rather than Hispanics, had the lowest indices. Compared to Snohomish County, Everett averaged lower indices for low poverty. See Tables 21 and 22.

The zip code that one lives in matters for exposure to poverty. See Map 38.



MAP 38

LOW POVERTY INDEX AND BLACK DEMOGRAPHICS

The darker the shading on the census tracts on Map 40, the less exposure to poverty.

Source: Map 12 – Race – AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/> (Data from Census 2010, ACS 2009-2013, Location Affordability Index (LAI) 2008-2012).

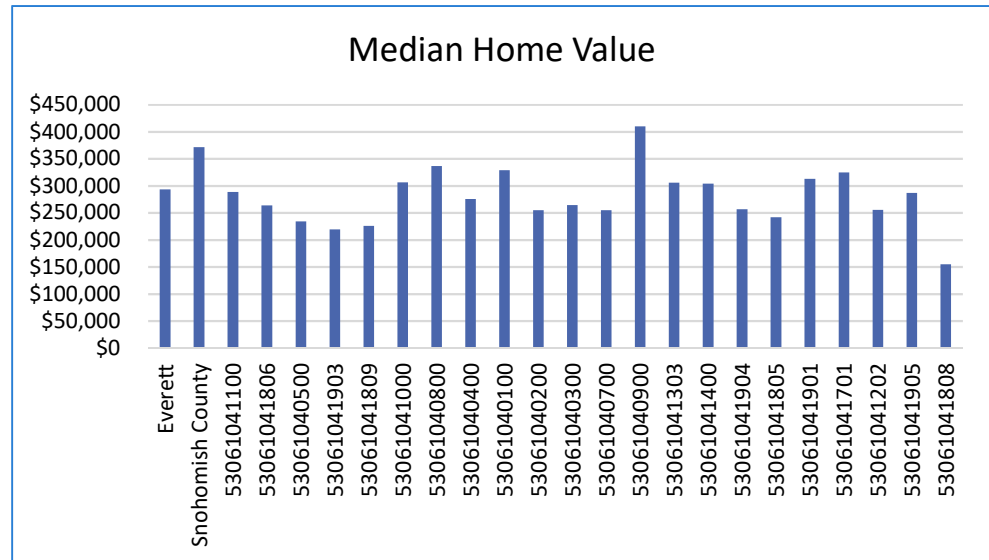
³² See *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019, Cloud Nine Technologies and Brent Mast, HUD Office of Policy Development and Research.

3. Housing Affordability

Estimated median housing costs in Everett are lower for both owner-occupants and renters than in the County and Washington State.

The median owner-estimated home value in 2018 in Everett was \$293,200 (21% less than in overall Snohomish County). Chart 13 and Table 29.

Chart 13
2014-2018 ACS



Source: Table data
from PolicyMap

Of owner-occupied households, 73.6% had a mortgage and 26.4% owned their homes without a mortgage or loan. The median monthly housing costs for owners with a mortgage was \$1,800 and \$596 for owners without a mortgage.

| Table 29: 2014- 2018 Cost of Home Owner Housing | | | |
|---|-----------|-----------|------------|
| OWNER / RENTER | EVERETT | COUNTY | WASHINGTON |
| Median home value | \$293,200 | \$371,600 | \$311,700 |
| Median monthly owner cost with mortgage | \$1,800 | \$2,040 | \$1,826 |
| Median monthly owner cost without mortgage | \$596 | \$643 | \$564 |

Source: 2014—2018 ACS 5-Year Narrative Profiles, Everett, Snohomish County, and WA.

Almost one third (31.2%) of households with a mortgage in Everett had housing costs more than \$2,000 per month, including utilities, a much lower rate than the County, and also lower than Washington. About another third (32.7%) of households with a mortgage paid less than \$1,500 a month. Table 30.

| Table 30: 2013 – 2017 Range of Monthly Owner Costs* | | | |
|---|---------|--------|------------|
| RANGE | EVERETT | COUNTY | WASHINGTON |
| Less than \$1,000 | 8.7% | 5.4% | 11% |
| \$1,000-\$1,499 | 24% | 17.1% | 24.8% |
| \$1,500-\$1,999 | 36% | 28.9% | 25.7% |
| \$2,000 or more | 31.2% | 48.5% | 38.6% |

*Households with a mortgage; includes mortgage, taxes, insurance, condo fees and utilities

Source: 2013-2017 American Community Survey

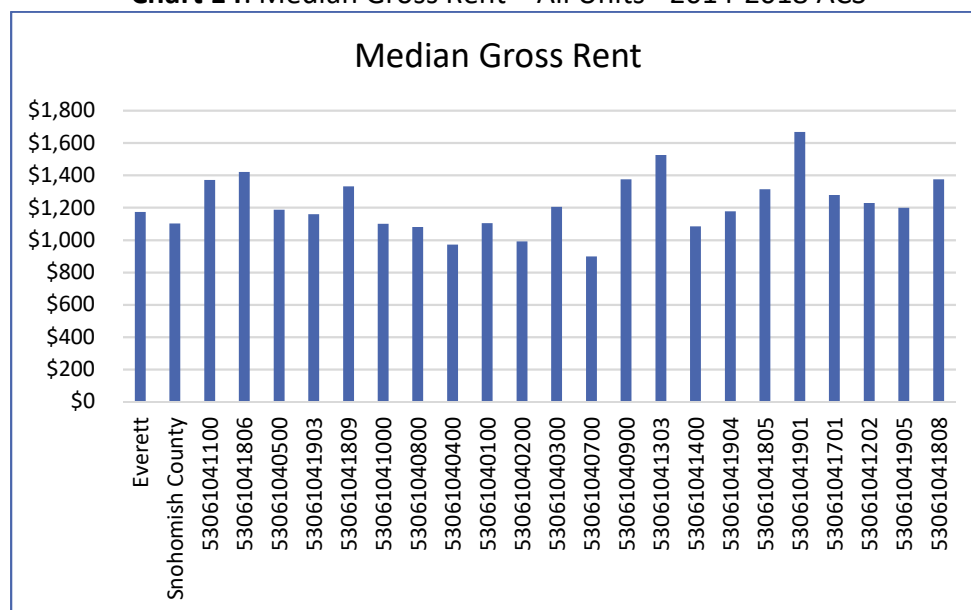
In 2018 Everett renters paid a median gross rent of \$1,173 (See Chart 14 for median rent by individual tracts), including electricity, gas, water, and sewer. This was a 7% increase over 2017 median gross rent (Table 31). Everett 2018 gross median rent was 14.5% and 1.8% less than Snohomish County (\$1,371) and Washington (\$1,194) median rents.

| Table 31: 2013- 2017 Range of Gross Rents* | | | |
|--|---------|--------|------------|
| | EVERETT | COUNTY | WASHINGTON |
| Median gross rent | \$1097 | \$1269 | \$1120 |
| RANGE | EVERETT | COUNTY | WASHINGTON |
| Less than \$500 | 9.5% | 6.4% | 7.8% |
| \$500-\$749 | 30% | 19.9% | 33.3% |
| \$750-\$999 | 42.3% | 41.1% | 33% |
| \$1,000 or more | 14.7% | 21.7% | 16.6% |
| \$1,000-\$1,499 | 2.9% | 7.8% | 5.8% |
| \$1,500 or more | .8% | 3.1% | 3.5% |

*Includes contract rent and utilities

Source: 2013-2017 American Community Survey

Chart 14: Median Gross Rent – All Units - 2014-2018 ACS



Source: Chart generated from data from Policy Map

Black households and households comprised of two or more races, or “some other race”, as well as Hispanic households, pay a greater percentage of their household income for gross rent (between 18% and 27.7%) compared to white households who pay 15%. See Table 32 (table data includes micro data Everett, Mukiteo, and Eastmont³³ Public Use Microdata Areas). Asian households pay a smaller percentage of household income than whites do on gross rent (10.4% – 13.7%). Numbers of households for American Indian, Alaska Native, Native Hawaiian and Other Pacific Islanders are relatively small.

³³ Everett PUMA data alone not available.

Table 32: Gross Rent as a Percentage of Household Income
Source: ACS 5-Year Estimates - Public Use Microdata Sample 2017

| Race | Gross Rent as a % of Household Income | # Households |
|---|--|--------------|
| White alone | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 15.4% | 77326 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 15.2% | 83684 |
| Black or African American alone | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 23.8% | 7895 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 24.3% | 4322 |
| American Indian alone | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 12.9% | 653 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 36.1% | 728 |
| Alaska Native alone | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 15.7% | 102 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 0% | 20 |
| American Indian and Alaska Native tribes specified; or American Indian or Alaska native, not specified and no other race | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 0% | 13 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 32.5% | 304 |
| Asian alone | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 13.7% | 21334 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 10.4% | 9979 |
| Native Hawaiian and Other Pacific Islander alone | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 18.6% | 547 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 10.1% | 1308 |
| Some other race alone | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 22.5% | 3517 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 27.7% | 3846 |
| Two or More Races | | |
| Snohomish Co. (W Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 18.1% | 8255 |
| Snohomish Co. (Central)--Everett Ci. (Central & E) & Eastmont PUMA, WA | 23.5% | 7546 |
| National Origin / Hispanic | Gross rent as a % of household income past 12 mos. | # Households |
| Not Spanish/Hispanic/Latino | | |
| Snohomish Co. (W. Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 15% | 105733 |
| Snohomish Co. (Central)--Everett Ci. (Central & East) & Eastmont PUMA, WA | 14.9% | 96677 |
| Mexican | | |
| Snohomish Co. (W. Central)--Mukilteo & Everett (SW) Cities PUMA, WA | 27.3% | 9191 |
| Snohomish Co. (Central)--Everett Ci. (Central & East) & Eastmont PUMA, WA | 25.7% | 11792 |

Note 1: Weight used: WGTP

Note 2: See Table C-2, Appendix C, for Other Hispanic National origins

Source: ACS 5-Year Estimates - Public Use Microdata Sample 2017

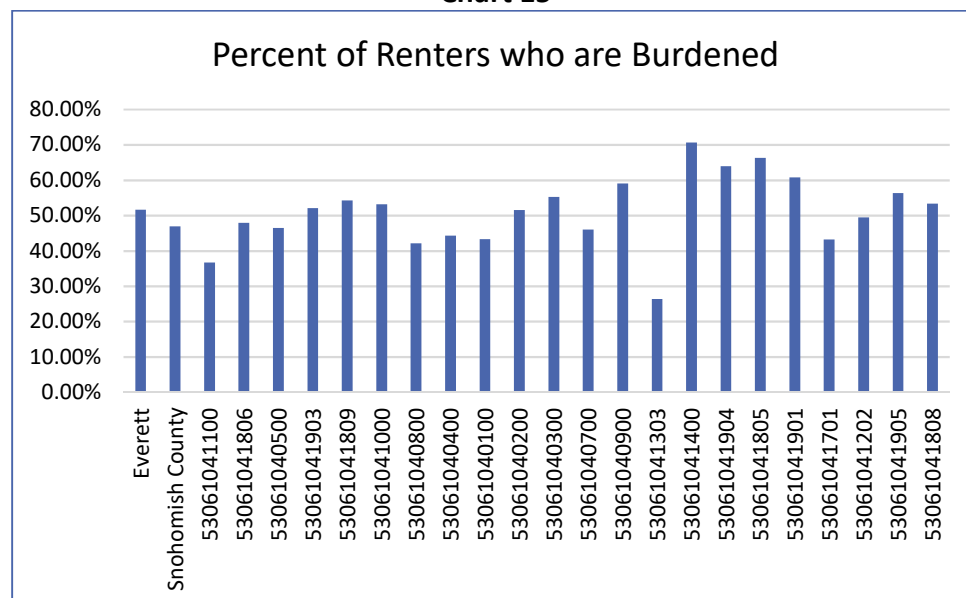
Housing is considered affordable when the cost of housing plus utilities equals no more than 30% of household income. The National Low Income Housing Coalition provides an annual analysis of the cost of housing in relation to income. The 2019 *Out-of-Reach* data for Snohomish County is presented in Table 33. To afford a 2- bedroom unit, a household would need to earn \$36.52 an hour – 304% of Washington minimum wage (the equivalent of 3 full time minimum wage jobs).

| Table 33: Housing Costs, Income and Affordability Snohomish County MSA 2019 | |
|---|----------|
| HOUSING/INCOME FACTOR | TWO BRS |
| Fair Market Rent (FMR) 2019 | \$1899 |
| Annual income to afford | \$75,960 |
| Hourly wage to afford* (housing wage) | \$36.52 |
| Minimum wage in Washington 2019 | \$12.00 |
| Housing wage compared to minimum wage | 304% |

Source: National Low Income Housing Coalition (www.nlihc.org)

Almost half of all WA renters (46%) are rent burdened (paying more than 30% of their income for rent). Nearly half of these are paying more than 50% of their income to rent (severely rent burdened).³⁴ During 2014-2018, 31.5% of owners with a mortgage, 19.8% of owners without a mortgage, and 53.1% of renters in Everett were cost burdened. (2014—2018 ACS 5-Year Narrative Profile, Everett City, WA). See Charts 15 - 17. To maintain less than a 30% rent burden, a \$1,173 2018 Everett median gross rent required a net income after taxes of \$47,000.

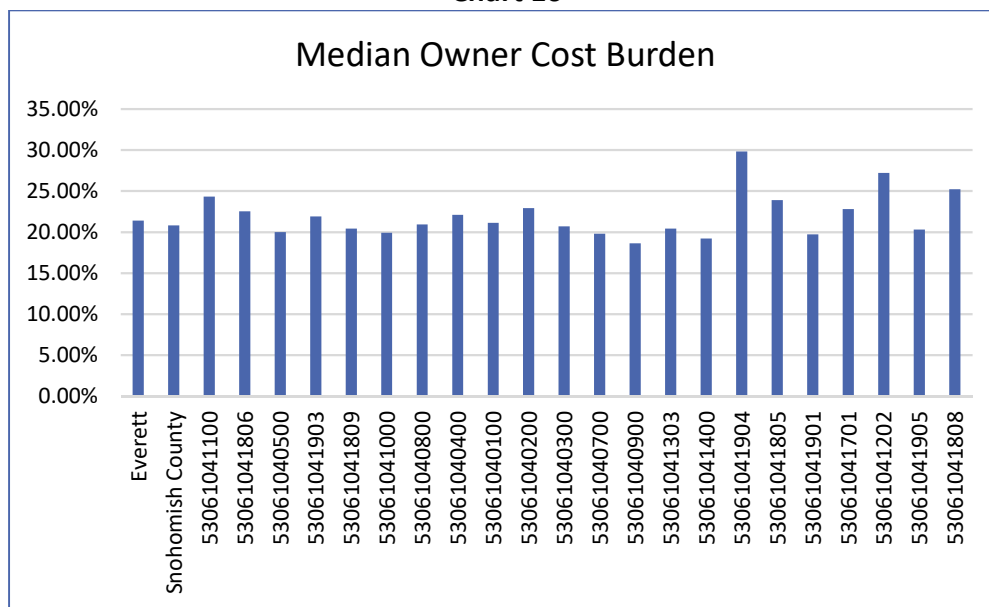
Chart 15



Source: Chart data from PolicyMap, ACS 2014-2018

³⁴ *The State of Evictions: Results from the University of Washington Evictions Project*, Timothy A. Thomas, Ott Toomet, Ian Kennedy, and Alex Ramiller, U. of WA, <https://evictions.study/washington/results.html#eviction-counts>

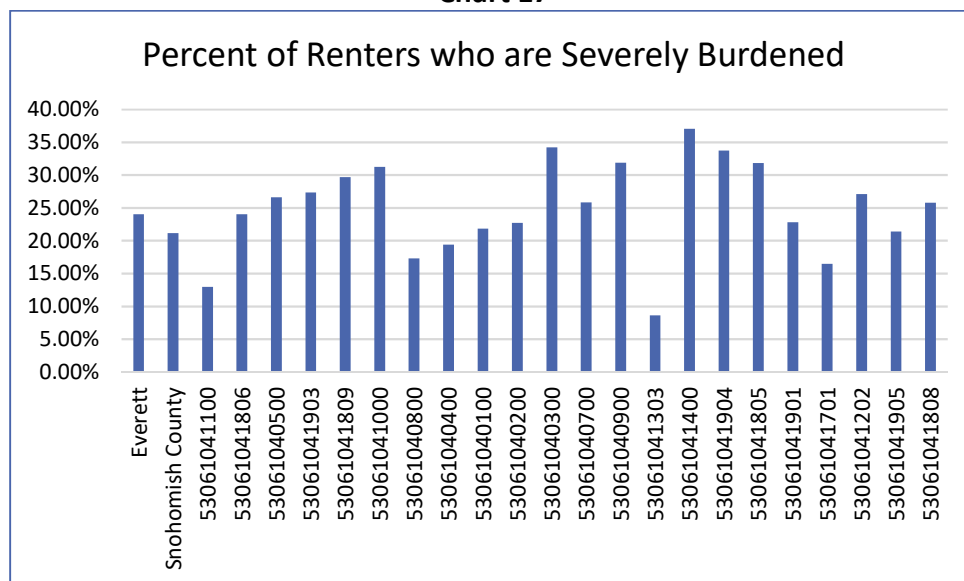
Chart 16



Source: Chart data from PolicyMap, ACS 2014-2018

Twenty-four percent of Everett households were severely rent-burdened in 2018, paying more than 50% of their income for rent.

Chart 17



Source: Chart data from PolicyMap, ACS 2014-2018

As of 2013, in Everett, 14.7% of white non-Hispanic households had a “severe housing cost burden”, defined as paying more than 50% of their income for housing. The rates of severe cost burdened households increase for people of color: 17.42% of Asians and Pacific Islander households, 18.54% of black households, 18.77% of Native American households, and 22.65% of Hispanic households had a severe cost burden. See Table 34. Overall, 15.56% of all households had a severe rent burden. With rising rents, it is very likely that the percentage of households that have a severe housing cost burden has only increased.

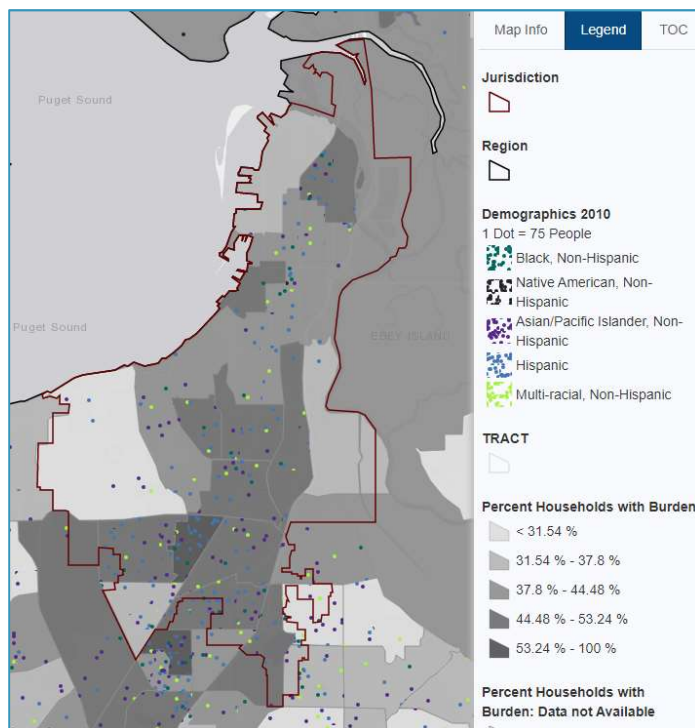
| TABLE 34 | | | | | | |
|--|---------------------------------|--------------|---------------------------|---|--------------|---------------------------|
| HUD AFFH-T Table 10 - Demographics of Households with Severe Housing Cost Burden | | | | | | |
| Households with Severe Housing Cost Burden | (Everett, WA CDBG) Jurisdiction | | | (CNSRT-Snohomish County, WA CONSORTIA) Jurisdiction | | |
| Race/Ethnicity | # with severe cost burden | # households | % with severe cost burden | # with severe cost burden | # households | % with severe cost burden |
| White, Non-Hispanic | 6,030 | 31,544 | 19.12% | 31,717 | 215,778 | 14.70% |
| Black, Non-Hispanic | 250 | 1,355 | 18.45% | 1,131 | 6,101 | 18.54% |
| Hispanic | 925 | 4,060 | 22.78% | 3,673 | 16,215 | 22.65% |
| Asian or Pacific Islander, Non-Hispanic | 380 | 3,193 | 11.90% | 3,736 | 21,449 | 17.42% |
| Native American, Non-Hispanic | 59 | 328 | 17.99% | 490 | 2,610 | 18.77% |
| Other, Non-Hispanic | 260 | 1,015 | 25.62% | 1,052 | 6,364 | 16.53% |
| Total | 7,904 | 41,519 | 19.04% | 41,799 | 268,708 | 15.56% |
| Household Type and Size | | | | | | |
| Family households, <5 people | 3,110 | 19,250 | 16.16% | 19,385 | 157,890 | 12.28% |
| Family households, 5+ people | 585 | 3,355 | 17.44% | 3,823 | 24,855 | 15.38% |
| Non-family households | 4,210 | 18,909 | 22.26% | 18,512 | 85,941 | 21.54% |
| Note 1: Severe housing cost burden is defined as greater than 50% of income. | | | | | | |
| Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households. | | | | | | |
| Note 3: The # households is the denominator for the % with problems, and may differ from the # households for the table on severe housing problems. | | | | | | |
| Note 4: Data Sources: Comprehensive Housing Affordability Strategy (CHAS), 2009-2013) | | | | | | |
| Note 5: Refer to the Data Documentation for details (www.hudexchange.info). | | | | | | |

Source: AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/>

4. Housing Needs

Tables 38 and 39 provide data identifying instances where “housing problems” or “severe housing problems” exist. Information on housing problems is drawn from CHAS, which demonstrates the extent of housing problems and housing needs, particularly for low-income households. The U.S. Census Bureau produces the CHAS data via custom tabulations of ACS data. The AFFH-T provides data on the number and share of households with one of the following four “housing problems”: 1. Lacks complete kitchen facilities 2. Lacks complete plumbing facilities 3. More than one person per room 4. Cost Burden – monthly housing costs (including utilities) exceed 30% of monthly income.³⁵

Almost 44% of all households in Everett were experiencing at least one of four housing problems as of 2016. See Table 35. As of 2013, 45.2% of all households experienced at least 1 housing problem; 43% of white households experienced at least of housing problem, 45.7% of Asians / Pacific Islanders, and 42.4% of Native Americans. Table 36. Black and Hispanic households experienced at least one problem at significantly higher rates: 50% and 58.7%.



MAP 39

HOUSEHOLDS WITH HOUSING COST BURDEN

Source: Map 6 – Race – AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/> (Data from Census 2010, ACS 2009-2013, Location Affordability Index (LAI) 2008-2012)

³⁵ See *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019, Cloud Nine Technologies and Brent Mast, HUD Office of Policy Development and Research.

| TABLE 35 – HOUSING PROBLEMS – BY RENTER / OWNER - EVERETT | | | | | | |
|---|--------------------|-----------------------------|---------------------|------------------------------|--------------------|---------------------|
| Housing Problems Overview | Owner | | Renter | | Total | |
| | # owner households | % of total owner households | # renter households | % of total renter households | # households | % of all households |
| Household has at least 1 of 4 Housing Problems | 5695 | 30.8% | 12825 | 54% | 18520 | 43.9% |
| Household has none of 4 Housing Problems | 12660 | 68.6% | 10650 | 44.8% | 23310 | 55.2% |
| Cost burden not available - no other problems | 105 | 0.6% | 280 | 1.2% | 385 | 0.9% |
| | # owner households | % of all households | # renter households | % of all households | # owner households | % of all households |
| Total | 18465 | 43.7% | 23755 | 56.3% | 42220 | 100% |

Note: The four housing problems are: incomplete kitchen facilities; incomplete plumbing facilities more than 1 person per room; and cost burden greater than 30%.

Source: CHAS 2012-2016 ACS https://www.huduser.gov/portal/datasets/cp.html#2006-2016_query

| TABLE 36– HOUSING PROBLEMS BY RACE | | | | | | |
|--|---------------------------------|---------------|-----------------|---|----------------|-----------------|
| HUD AFFH-T Table - Demographics of Households with Disproportionate Housing Needs | | | | | | |
| Disproportionate Housing Needs | (Everett, WA CDBG) Jurisdiction | | | (CNSRT-Snohomish County, WA CONSORTIA) Jurisdiction | | |
| Households experiencing any of 4 housing problems | # with problems | # households | % with problems | # with problems | # households | % with problems |
| Race/Ethnicity | | | | | | |
| White, Non-Hispanic | 13,570 | 31,544 | 43% | 81,271 | 215,778 | 37.7% |
| Black, Non-Hispanic | 680 | 1,355 | 50.2% | 2,946 | 6,101 | 48.3% |
| Hispanic | 2,385 | 4,060 | 58.7% | 9,192 | 16,215 | 56.7% |
| Asian or Pacific Islander, Non-Hispanic | 1,459 | 3,193 | 45.7% | 9,497 | 21,449 | 44.3% |
| Native American, Non-Hispanic | 139 | 328 | 42.4% | 1,020 | 2,610 | 39.1% |
| Other, Non-Hispanic | 495 | 1,015 | 48.8% | 2,831 | 6,364 | 44.5% |
| Total | 18,745 | 41,519 | 45.2% | 106,869 | 268,708 | 39.8% |
| Household Type and Size | | | | | | |
| Family households, <5 people | 7,475 | 19,250 | 38.8% | 2,946 | 6,101 | 48.3% |
| Family households, 5+ people | 2,060 | 3,355 | 61.4% | 9,192 | 16,215 | 56.7% |
| Non-family households | 9,205 | 18,909 | 48.7% | 9,497 | 21,449 | 44.3% |
| Note 1: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. | | | | | | |
| Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households. | | | | | | |
| Note 3: Data Sources: Comprehensive Housing Affordability Strategy (CHAS), 2009-2013 | | | | | | |
| Note 4: Refer to the Data Documentation for details (www.hudexchange.info). | | | | | | |

Source: AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/>

| TABLE 37 – SEVERE HOUSING PROBLEMS BY OWNERS / TENANTS | | | | | | |
|--|--------------------|---------------------|---------------------|---------------------|--------------------|---------------------|
| Severe Housing Problems | Owner | | Renter | | Total | |
| Household has at least 1 of 4 Severe Housing Problems | 2345 | 12.7% | 7155 | 30.1% | 9500 | 22.5% |
| Household has none of 4 Severe Housing Problems | 16010 | 86.7% | 16320 | 68.7% | 32330 | 76.6% |
| Cost burden not available - no other problems | 105 | 0.6% | 280 | 1.2% | 385 | 0.9% |
| | # owner households | % of all households | # renter households | % of all households | # owner households | % of all households |
| Total | 18465 | 43.7% | 23755 | 56.3% | 42220 | 100% |

Note: The four severe housing problems are: incomplete kitchen facilities; incomplete plumbing facilities; more than 1 person per room; and cost burden greater than 50%.

Source: CHAS 2012-2016 ACS https://www.huduser.gov/portal/datasets/cp.html#2006-2016_query

Table 38 provides data on the number and share of households with one or more of the following “severe” housing problems: 1. Lacks complete kitchen facilities 2. Lacks complete plumbing facilities 3. More than one person per room 4. “Severe” Cost Burden – monthly housing costs (including utilities) exceed 50% of monthly income.³⁶

Over 22% of all households in Everett experienced at least one “severe” housing problem, less than the County rate of 33.5%. See Table 38. The rates for Hispanics and Other Non-Hispanics were highest, at over 33% each (the highest rates in the County were for Black, non-Hispanic and Native Americans, at over 54% each). See also Map 39, Cost Burden.

| TABLE 38 – SEVERE HOUSING PROBLEMS BY RACE | | | | | | |
|---|------------------------|---------------|-----------------|------------------------------------|----------------|-----------------|
| HUD AFFH-T Table 9 – Demographics of Households with Disproportionate Housing Needs | | | | | | |
| Disproportionate Housing Needs | (Everett, WA CDBG) | | | (CNSRT-Snohomish County CONSORTIA) | | |
| Households experiencing any of 4 Severe Housing Problems | # with severe problems | # households | % with problems | # with problems | # households | % with problems |
| Race/Ethnicity | | | | | | |
| White, Non-Hispanic | 6,725 | 31,544 | 21.3% | 52,892 | 157,890 | 33.5% |
| Black, Non-Hispanic | 295 | 1,355 | 21.8% | 13,594 | 24,855 | 54.7% |
| Hispanic | 1,345 | 4,060 | 33.1% | 40,402 | 85,941 | 47% |
| Asian or Pacific Islander, Non-Hispanic | 640 | 3,193 | 20% | 52,892 | 157,890 | 33.5% |
| Native American, Non-Hispanic | 69 | 328 | 21% | 13,594 | 24,855 | 54.7% |
| Other, Non-Hispanic | 340 | 1,015 | 33.5% | 40,402 | 85,941 | 47% |
| Total | 9,405 | 41,519 | 22.7% | 52,892 | 157,890 | 33.5% |
| Note 1: The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%. | | | | | | |
| Note 2: All % represent a share of the total pop. within the jurisdiction, except household type and size, which is out of total households. | | | | | | |
| Note 3: Data Sources: Comprehensive Housing Affordability Strategy (CHAS), 2009-2013 | | | | | | |
| Note 4: Refer to the Data Documentation for details (www.hudexchange.info). | | | | | | |

³⁶ Id.

5. Publicly Assisted Households

According to HUD data, Asian and black people participate in publicly supported housing programs in Everett at higher rates than other people do. Asian and Pacific Islanders, 8.8% of the City population in 2016, made up 15.9% of public housing households, 29.3% of section 8 project-based households, and 30% of households in “Other Multifamily” housing, which includes properties funded through the Section 202 Supportive Housing for the Elderly Program (with both capital advance grants and Project Rental Assistance Contracts) and Section 811 Supportive Housing for Persons with Disabilities Program. In 2016, black people in Everett were 4.4% of the population, but 9.9% of public housing residents and 10% of housing choice voucher holders. See Table 39. Hispanic households are underrepresented in public housing programs in Everett.

As reported in the *Housing Authority of Snohomish County Analysis of Impediments to Fair Housing Choice & Language Access Plan*, May 10, 2019, residents in HASCO properties and voucher holders have a similar racial and ethnic composition as income-qualified residents in Snohomish County, with a few exceptions.

- Black/African American and Non-Hispanic households are slightly overrepresented in the housing voucher program:
 - 11% of voucher holders are black; 3% of the County population that income qualifies at 50% AMI are black
 - 95% of voucher holders are non-Hispanic; 91% of the County non-Hispanic income qualified people are non-Hispanic
 - Asian and Hispanic households are slightly underrepresented

Similarly, people with disabilities were 16.6% of the Everett population in 2016, but 20% of public housing residents, 18.7% of project-based section 8, 22% other multi-family, and 34.7% of housing choice voucher holders. Table 40. In 2019, 55% of HASCO voucher holders and 39% residing in HASCO properties have a disability, compared to 12% of the County, and 16% of the Everett populations.

| TABLE 39 | | | | | | | | |
|---|--------|-------|-------|------|----------|-------|---------------------------|-------|
| HUD AFFH-T Table 6 – Publicly Supported Households by Race/Ethnicity | | | | | | | | |
| (Everett, WA CDBG) Jurisdiction | White | | Black | | Hispanic | | Asian or Pacific Islander | |
| Housing Type | # | % | # | % | # | % | # | % |
| Public Housing | 193 | 69.9% | 24 | 8.7% | 14 | 5.1% | 44 | 15.9% |
| Project-Based Section 8 | 313 | 60% | 14 | 2.7% | 37 | 7.1% | 153 | 29.3% |
| Other Multifamily | 45 | 59.2% | 0 | 0% | 7 | 9.2% | 23 | 30.3% |
| HCV Program | 1,889 | 78.5% | 239 | 9.9% | 111 | 4.6% | 138 | 5.7% |
| Total Households | 31,544 | 76% | 1,355 | 3.3% | 4,060 | 9.8% | 3,193 | 7.7% |
| 0-30% of AMI | 6,245 | 74.5% | 405 | 4.8% | 775 | 9.3% | 559 | 6.7% |
| 0-50% of AMI | 10,015 | 65.2% | 625 | 4.1% | 1,800 | 11.7% | 998 | 6.5% |
| 0-80% of AMI | 15,500 | 67.9% | 835 | 3.7% | 2,750 | 12.1% | 1,578 | 6.9% |
| Note 1: Data Sources: Decennial Census; APSH; CHAS | | | | | | | | |
| HCV: census tract-level data extract from the Family Report Form HUD-50058 (PIC) 2016 | | | | | | | | |
| Public Housing: development-level data extract from the Family Report Form HUD-50058 (PIC) 2016 | | | | | | | | |
| PBRA and other multifamily properties: development-level data extract from HUD-50059 (TRACS) 2016 | | | | | | | | |
| Note 2: #s presented are numbers of households not individuals. | | | | | | | | |
| Note 3: Refer to the Data Documentation for details (www.hudexchange.info). | | | | | | | | |

Source: Data and Mapping Tool, <https://egis.hud.gov/affht/>

Similarly, people with disabilities were 16.6% of the Everett population in 2016, but comprised 20% of public housing residents, 18.7% of project-based section 8 housing residents and 34.7% of section 8 housing choice voucher holders. See Table 40.

| TABLE 40 | | |
|--|--------------------------|-------|
| HUD AFFH-T Table 15 - Disability by Publicly Supported Housing Program Category | | |
| (Everett, WA CDBG) Jurisdiction | People with a Disability | |
| | # | % |
| Public Housing | 57 | 20.2% |
| Project-Based Section 8 | 99 | 18.7% |
| Other Multifamily | 17 | 22.1% |
| HCV Program | 858 | 34.7% |
| Note 1: The definition of “disability” used by the Census Bureau may not be comparable to reporting requirements under HUD programs. | | |
| Note 2: Data Sources: ACS | | |
| HCV: census tract-level data extract from the Family Report Form HUD-50058 (PIC) | | |
| Public Housing: development-level data extract from the Family Report Form HUD-50058 (PIC) | | |
| PBRA and other multifamily properties: development-level data extract from HUD-50059 (TRACS) | | |
| Note 3: Refer to the Data Documentation for details (www.hudexchange.info). | | |

Source: Data and Mapping Tool, <https://egis.hud.gov/affht/>

Persons of color are also concentrated within several publicly assisted housing developments. As of 2016, black people made up 12% of 1 project-based section 8 complex; and Asian residents comprised 46% and 21% of two project-based section 8 properties. Asian residents were also over represented in other HUD multi-family assisted properties, with ranges of 29 -76%.

| TABLE 41 | | | | | | |
|---|---------|-------|-------|----------|-------|--------------------------|
| HUD AFFH-T Table 8 – Demographics of Publicly Supported Housing Developments, by Program Category Everett | | | | | | |
| Project-Based Section 8 | | | | | | |
| Development Name | # Units | White | Black | Hispanic | Asian | Households with Children |
| Parkside Apartments | 197 | 52% | N/a | 2% | 46% | 29% |
| Beverly Village | 56 | 83% | 6% | 4% | 6% | 48% |
| Trailside Village | 240 | 59% | 4% | 14% | 21% | 52% |
| Hardeson Commons | 20 | 88% | 12% | 0% | N/a | N/a |
| Silver Woods Senior Apartments | 37 | 58% | N/a | 0% | 42% | N/a |
| Other HUD Multifamily Assisted Housing | | | | | | |
| Development Name | # Units | White | Black | Hispanic | Asian | Households with Children |
| Evergreen Court Senior Apartments | 38 | 59% | N/a | 10% | 31% | N/a |
| Meadow Park Senior Apartments | 39 | 17% | 2% | 5% | 76% | N/a |
| Silver View Apartments | 39 | 58% | N/a | 11% | 29% | N/a |
| Lake Woods Apartments | 59 | 31% | N/a | 7% | 63% | N/a |
| Evergreen Village Senior Apart | 39 | 24% | N/a | 0% | 76% | N/a |
| Note 1: For LIHTC properties, this information will be supplied by local knowledge. | | | | | | |
| Note 2: Percentages may not add to 100 due to rounding error. | | | | | | |
| Note 3: Data Sources: APSH | | | | | | |
| Note 4: Refer to the Data Documentation for details (www.hudexchange.info). | | | | | | |

Source: Data and Mapping Tool, <https://egis.hud.gov/affht/>

6. Environmental Health

Environmental Health Index

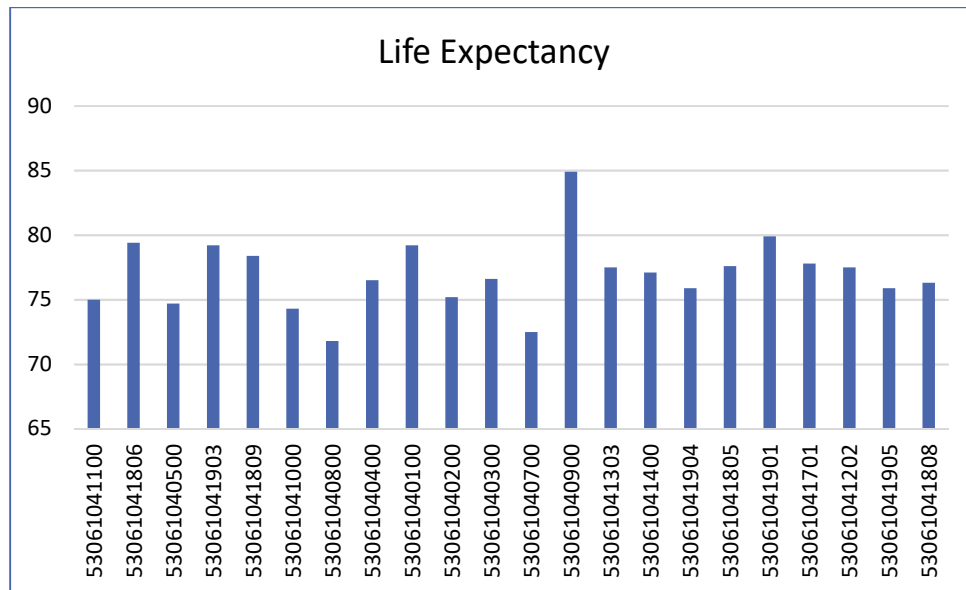
The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level. The index is a linear combination of standardized EPA estimates of air quality carcinogenic, respiratory, and neurological hazards with indexing census tracts. Values range from 0 to 100. The higher the value, the less exposure to toxins harmful to human health, and the better the environmental quality of a neighborhood.³⁷

The environmental health indices for all races were very low, with the highest rate (whites) only 6.51. The spread between the highest and lowest environmental health indices was only 1.6 points, with Hispanics having the lowest index (5.3). Compared to Snohomish County, Everett averaged lower indices for environmental health. See Tables 21 and 22.

Life Expectancy

Where one resides in makes a difference for longevity of life. Tract 40900 has more than 10 year in life expectancy over five other tracts in Everett. Chart 18. See also Maps 40 and 41. The Centers for Disease Control released detailed data on life expectancy for 90% of the census tracts in the United States. The overall Snohomish County life expectancy is 80 years, the same as WA State.³⁸ It is 78.4 for the United States.

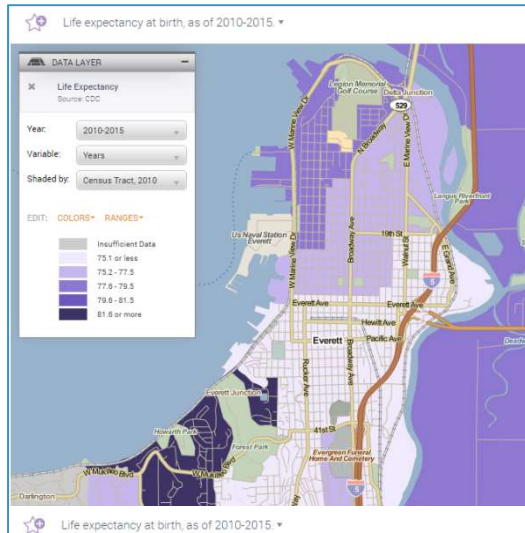
Chart 18: Life Expectancy by Tract – 2010 - 2015



Source: PolicyMap, CDC.

³⁷ See *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019, Cloud Nine Technologies and Brent Mast, HUD Office of Policy Development and Research.

³⁸ Quartz, <https://qz.com/1462111/map-what-story-does-your-neighborhoods-life-expectancy-tell/>

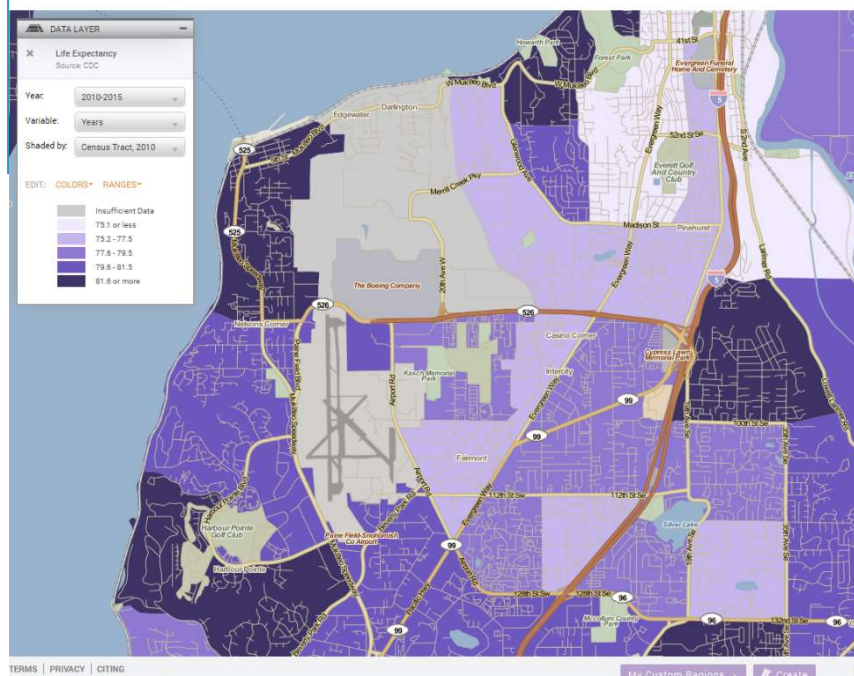


MAP 40

AVERAGE LIFE EXPECTANCY

The darkest tracts on Map 40 have the highest life expectancy (81.6 years or more). The lightest tracts on the map have life expectancies of 75.1 or less.

Source: <https://www.policymap.com/maps>



MAP 41

AVERAGE LIFE EXPECTANCY

The darkest tracts on Map 41 have the highest life expectancy (81.6 years or more). The lightest tracts on the map have life expectancies of 75.1 or less.

Source: <https://www.policymap.com/maps>

7. Labor Force and Employment

In 2014-2018, the civilian employed population 16 years and older in Everett were employed in the following industries:

| Table 42 | |
|--|-------|
| Percent by Industry in Everett, 2014-2018 | |
| Agriculture, forestry, fishing and hunting, and mining | 0.8% |
| Wholesale trade | 1.7% |
| Information | 2.2% |
| Public administration | 3.7% |
| Other Services, except public administration | 4.3% |
| Transportation and warehousing, and utilities | 4.5% |
| Finance and insurance, and real estate and rental and leasing | 4.9% |
| Construction | 8.6% |
| Arts, entertainment, and recreation, and accommodation, and food services | 10.9% |
| Professional, scientific, and management, and administrative and waste management services | 11% |
| Retail trade | 12.1% |
| Educational services, and health care and social assistance | 17.5% |
| Manufacturing | 17.9% |

Source: 2014—2018 ACS 5-Year Narrative Profile, Everett

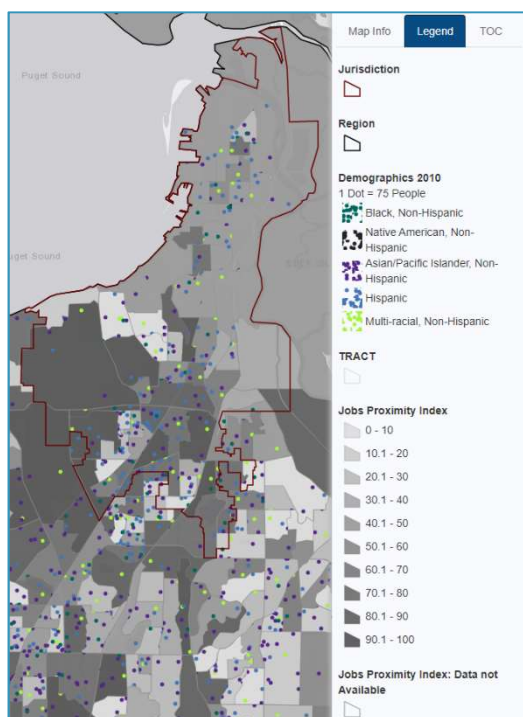
| Table 43 | | |
|--|--------|---------|
| Occupations for the Civilian Employed Population 16 Years and over in Everett, 2014-2018 | | |
| Civilian employed population 16 years and over | Number | Percent |
| Management, business, sciences, and arts occupations | 16,603 | 30.5% |
| Service occupations | 11,516 | 21.2% |
| Sales and office occupations | 10,207 | 18.8% |
| Natural resources, construction, and maintenance occupations | 6,767 | 12.4% |
| Production, transportation, and material moving occupations | 9,275 | 17.1% |

Source: 2014—2018 ACS 5-Year Narrative Profile, Everett

Jobs Proximity Index

The jobs proximity index quantifies the accessibility of a neighborhood as a function of its distance to all job locations within a core-based statistical area (CBSA), with larger employment centers weighted more heavily. A gravity model is used, where the accessibility of a residential block group is a summary description of the distance to all job locations, with the distance from any single job location positively weighted by the size of employment (job opportunities) at that location and inversely weighted by the labor supply (competition) to that location. Values are percentile ranked at the CBSA level with values ranging from 0 to 100. The higher the value, the better the access to employment opportunities for residents.³⁹

For job proximity, Asians had the lowest rate (57.6) and Hispanics had the highest rate (64.3), for a difference of 6.7. Below the poverty line, Asians still had the lowest job proximity index, but Native Americans had the highest index. Compared to Snohomish County, Everett averaged higher indices for jobs proximity. See Tables 21 and 22.



MAP 42

JOBS PROXIMITY INDEX

Source: Map 8 – Race- AFFH Data and Mapping Tool, <https://egis.hud.gov/affht/> (Longitudinal Employer-Household Dynamics (LEHD) data, 2014)

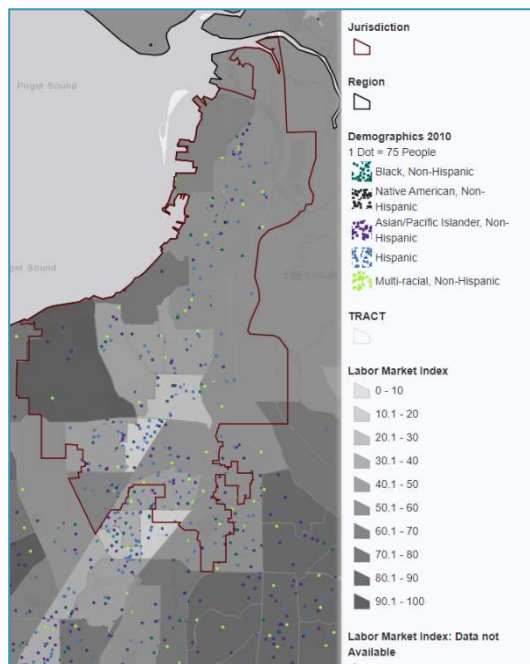
³⁹ See *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019, Cloud Nine Technologies and Brent Mast, HUD Office of Policy Development and Research.

Labor Market Engagement Index

The labor market engagement index describes the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force participation, and educational attainment in a census tract. The labor market index is a linear combination of three standardized vectors: unemployment rate, labor-force participation rate, and percent with a bachelor's degree or higher. Values are percentile and range from 0 to 100. The higher the score, the higher the labor force participation and human capital in a neighborhood.⁴⁰

Whites had the second highest labor market index (41), after Asians, while Hispanics tied with Native Americans (35.8) for the lowest rates, a difference of 5.2 points. For those under the poverty line, Asians again had the highest labor market index, and Native Americans the lowest. Compared to Snohomish County, Everett averaged lower indices for labor market. See Tables 21 and 22.

See Map 43, for specific census tracts. The darker the shading, the better the labor market engagement index in that neighborhood.



MAP 43

Demographics and Labor Market

Labor Engagement Index with race / ethnicity

Source: Map 9 – AFFH Data and Mapping Tool,

<https://egis.hud.gov/affht/>

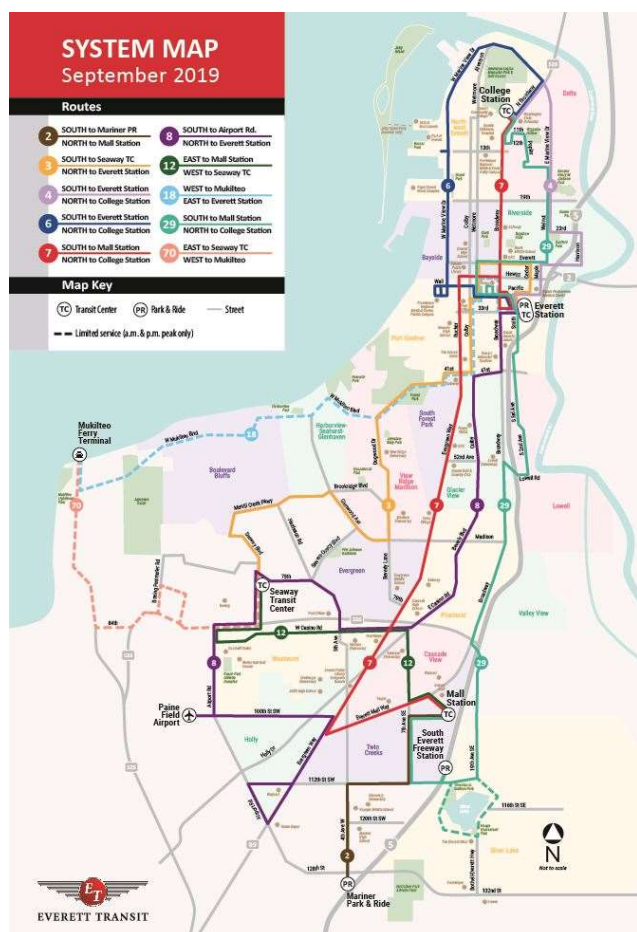
⁴⁰ See *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019, Cloud Nine Technologies and Brent Mast, HUD Office of Policy Development and Research.

8. Transportation

High Capacity Transportation⁴¹:

Everett Transit provides frequent service on Route 7, from Everett Mall to Everett Community College via Everett Station, along Everett Mall Way, Evergreen Way and North Broadway corridors. The Route 7 bus service operates every 15 minutes from 8 a.m. to 5:45 p.m. on weekdays and every 20-30 minutes during nights and weekends.

Two rapid transit bus lines operate in Everett. The State's first bus rapid transit line, the Swift Blue Line, which serves 17 miles between Everett and Shoreline, began operation in 2009. The Swift Green Line opened in March 2019, serving 12.5 miles between Paine Field / Boeing and Canyon Park / Bothell. Swift operates every 10 minutes from 6 a.m. to 7 p.m. on weekdays and every 20 minutes during nights and weekends.



MAP 44

**Everett
Transit System Map**

Source: <http://everetttransit.org/228/System-Map>

⁴¹ Rethink Zoning, Residential Discussion, p. 4, https://everettwa.gov/DocumentCenter/View/19703/Residential-Zones_Planning-Commission-4-26-19

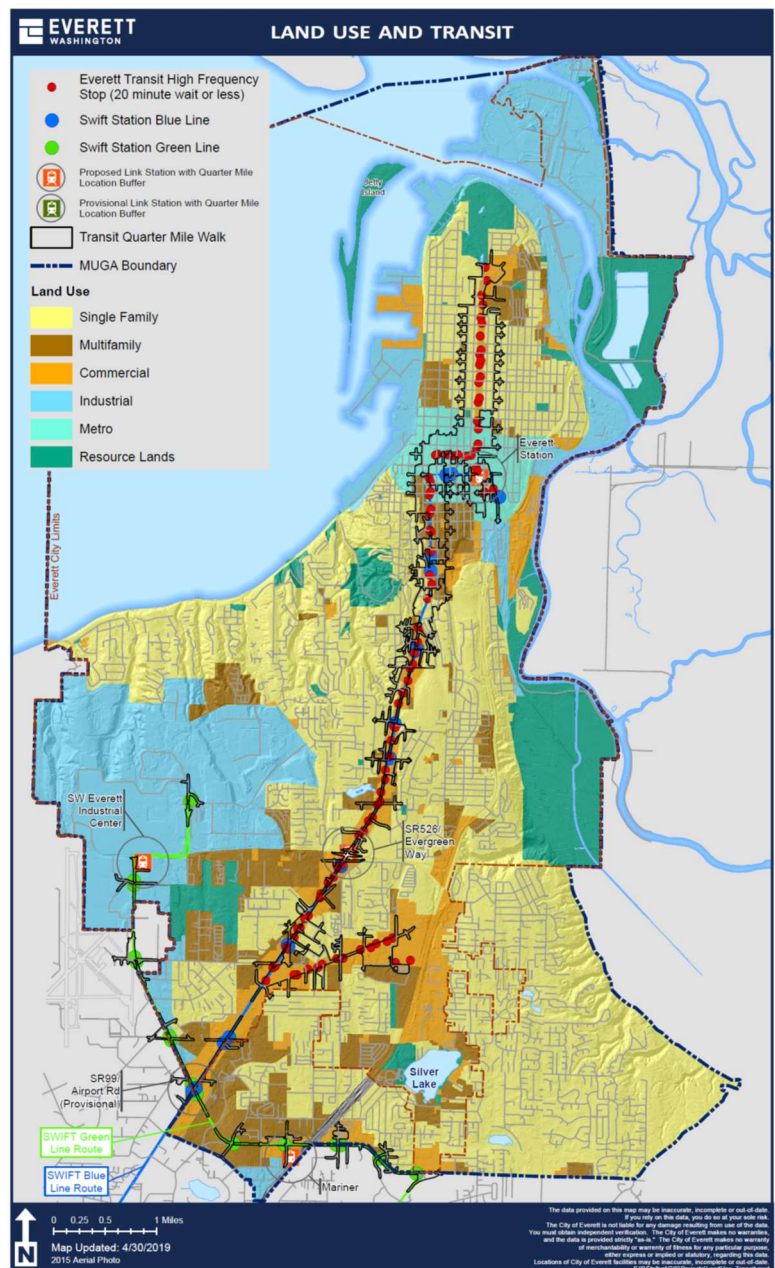
In 2016, voters approved the extension of light rail service to Everett, which expected to be completed by 2036. Four stations are funded in Everett's planning area: Mariner (128th St SW), SW Everett Industrial Center (Boeing), SR 526 / Evergreen, and Everett Station. A fifth station at SR 99 / Airport Road is "provisional", subject to funding.

- **Consideration for the Jurisdiction:** One of the challenges for Everett will be to ensure that low-income protected class households are not disproportionately impacted due to construction displacement or increased neighborhood rental rates.

MAP 45

LAND USE AND TRANIST

Map 45 shows which shows existing transit routes, future light rail stations, land use designations, and ¼ mile walking distances.



Source:

<https://everettwa.gov/DocumentCenter/View/19704/Map-Land-Use-Light-Rail-and-Frequent-Transit?bidId=>

Commuting

Almost 70% of Everett workers drove to work alone in 2014-2018, while 13.7% carpooled. Six percent utilized public transportation to commute to work. Among those who commuted to work, it took them on average 29.2 minutes to get to work. (2014—2018 ACS 5-Year Narrative Profile, Everett)

| TABLE 44 | |
|--|---------|
| Percent of Workers 16 and over Commuting by Mode in Everett, 2014-2018 | |
| | Percent |
| Car, truck, van -- drove alone | 69.5 |
| Car, truck, van -- carpooled | 13.7 |
| Public transportation (excluding taxicab) | 6.1 |
| Worked at home | 4.8 |
| Walked | 4.1 |
| Other means | 1.8 |

Source: 2014—2018 ACS 5-Year Narrative Profile, Everett

Transit Trips and Low Transportation Cost Indices

The Transit Trips Index is based on estimates of transit trips taken by a 3-person single-parent family with income at 50% of the median income for renters for the region (i.e., CBSA). The estimates come from the Location Affordability Index (LAI). The AFFH-T models annual transit trips for renters. Values are percentile ranked nationally, ranging from 0 to 100. The higher the value, the more likely residents in the neighborhood utilize public transit. The index controls for income such that a higher index value will often reflect better access to public transit.⁴²

The Low Transportation Cost Index is based on estimates of transportation costs for a 3-person single-parent family with income at 50% of the median income for renters for the region (i.e., CBSA). The estimates come from the Location Affordability Index (LAI). The AFFH-T models transportation costs as a percent of income for renters. Neighborhoods are defined as census tracts. Values range from 0 to 100. The higher the value, the lower the cost of transportation in a neighborhood. Transportation costs may be low for a variety of reasons, including greater access to public transportation and the density of homes, services, and jobs in the neighborhood and surrounding community.⁴³

⁴² See *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*, Data Version AFFHT0004a, March 5, 2019, Cloud Nine Technologies and Brent Mast, HUD Office of Policy Development and Research.

⁴³ Id.

Overall, low transportation cost and transit indices were the highest indices of any category for all races, in the low eighties. Whites had the lowest indices, and Hispanics had the highest; when only those below the poverty line were considered, whites still had the lowest indices, but Asians had the highest. However, the spread across races for low transportation cost and transit was only 2.75 and 3 points respectively.

Compared to Snohomish County, Everett averaged higher indices for transit and transportation cost. See Tables 21 and 22.

9. Homeless

The annual Point-in-Time (PIT) count measures people residing in emergency shelters, transitional housing, and living without shelter on a single day. During Snohomish County's 2019 PIT, conducted on January 23, 2019, 1116 were counted as homeless (599 unsheltered and 517 in emergency shelters or transitional housing). People of color were overrepresented in the counted homeless population: 25.8% of 1116 counted as homeless were persons of color, non-Hispanic, and 18.2% were Latinx.

Of 599 unsheltered (243 were in Everett), 128 (21.4%) were people of color (17 black, 7 Asian, 21 American Indian / Alaska Native, 38 Native Hawaiian or Other Pacific Islander, and 45 multiple races). Native Hawaiian or Other Pacific Islander were 6.3% of all unsheltered, a much higher rate than their representative rates in the overall population. 68 (11.4%) of the 599 unsheltered were Hispanic/Latinx. Of 540 unsheltered adults, 14.9% were non-Hispanic people of color, and 9.5% were Latinx.

Of 517 sheltered homeless, 406 were in emergency shelters. 79 of these (15.2%) were Hispanic / Latinx color. 21.7% were people of color (43 black, 4 Asian, 7 American Indian / Alaska Native, 15 Native Hawaiian or Other Pacific Islander, and 43 multiple races). Black people, 7% of those in emergency shelters, were overly represented.

111 were in transitional housing (35 black, 1 Asian, 1 American Indian / Alaska Native, 0 Native Hawaiian or Other Pacific Islander, and 9 multiple races). Again, black people were overrepresented, making up 31.5% of those in transitional housing.

10. Criminal Justice Impacted

Community Perceptions

Participants in the community surveys identified criminal records screening policies as a barrier to accessing housing. Related survey questions and responses included:

Question: If you believe that discrimination occurs in the rental of housing, on what bases do you believe that discrimination is most often based on?

- 63.89% of those who responded to the housing consumer / advocate survey selected criminal history as the most common basis tied with source of income.
- 50% of those responding to the housing provider survey selected criminal history as the fourth most common basis, after source of income, familial status, and race.

Question: If you believe that discrimination occurs in the sale of housing, on what bases do you believe that discrimination is most often based on?

- 48.48% of those on the housing consumer / advocate survey selected criminal history third, after race and source of income.
- 40% of housing providers selected criminal history as the fourth most common reason, after source of income, race, and national origin.

Question: If you believe that discrimination occurs in mortgage lending in Everett, on what bases do you believe that discrimination is most often based on?

- 54.55% of housing consumers / advocates selected criminal history third, out of 14 options, after source of income and race.
- Only 20% of housing providers chose criminal history.

Question: What are you most concerned about with respect to fair housing opportunity in Snohomish County? Check your top 10 concerns (of 19 options).

- 40% of housing consumers / advocates (6 of 19 choices) and 33.33% of housing providers (tied for 4th with 3 other options) selected “Use of criminal records for rental applicants”

28.57% of those responding to the housing provider survey selected criminal history screening as a fair housing topic they would like more training about.

Racial Disparities in the Criminal Justice System

In Snohomish County, black and Native American people are jailed and imprisoned at higher rates than whites, Asian / Pacific Islanders, and Latinos. For every 100,000 residents age 18-64 in 2015, there were 509 black, 462 Native American, 163 white, 89 Latino, and 24 Asian/ Pacific islanders jailed (Table C-3, App. C), and 819 black, 523 Native American, 274 white, 238 Latino, and 12 Asian/ Pacific islanders in prison. See Table C-4, App. C.

Black, Native American, and Latino persons are admitted to prison at higher rates than whites are. For every 100,000 residents age 15-65 in 2014, there were 294 black, 198 Native American, 139 Latinos, and 119 white persons admitted to prison (data for Asians for 2014 not available). See Table C-5, App. C.

Disparate Impacts and HUD Criminal History Guidance

On April 4, 2016, HUD issued, *"Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions."* The HUD guidance addresses how the Fair Housing Act applies to the use of criminal history by providers or operators of housing and real estate related transactions.

The background section of the HUD Guidance notes that formerly incarcerated individuals, people who have been convicted but not incarcerated, and people who have been arrested but not convicted encounter significant barriers to securing housing because of criminal history. As many as 100 million U.S. adults – nearly 1/3 of the population – have a criminal record. The US prison population of 2.2 million adults is the largest in the world. As of 2012, the US accounted for about 5% of the world's pop., yet almost 1/4 of the world's prisoners were held in American prisons. Since 2004, an average of 650,000+ individuals have been released annually from federal and state prisons, and over 95% of current inmates will be released at some point. When individuals are released from prisons and jails, their ability to access safe, secure and affordable housing is critical to successful reentry to society. The increasing numbers of people leaving institutions face an increased risk for homelessness and, conversely, persons experiencing homelessness are vulnerable to incarceration.

Across the US, African Americans and Hispanics are arrested, convicted and incarcerated at rates disproportionate to their share of the general population. Criminal records-based barriers to housing are therefore likely to have a disproportionate impact on minority home seekers. Having a criminal record is not a protected characteristic under the Fair Housing Act. However, criminal history-based restrictions on housing opportunities violate the Fair Housing Act if, without justification, their burden falls more often on renters or other housing market participants of one race or national origin over another (i.e., known as discriminatory effects liability). The HUD guidance focuses on race and national origin discrimination but notes that criminal history policies may result in discrimination against other protected classes.

The guidance reviews two methods of proving that a housing provider's criminal history policy violates the Fair Housing Act: discriminatory effects (disparate impact) and disparate

treatment. A facially neutral policy or practice that has a discriminatory effect violates the Fair Housing Act if not supported by legally sufficient justification – intent to discriminate is not required. To analyze claims that a housing provider’s use of criminal history to deny housing opportunities results in a discriminatory effect in violation of the FHA, Courts utilize a 3-step burden-shifting standard requiring a fact-specific analysis. 24 C.F.R. § 100.500:

1. Evaluate Whether the Criminal History Policy or Practice Has a Discriminatory Effect
2. Evaluate Whether the Challenged Policy or Practice is Necessary to Achieve a Substantial, Legitimate, Nondiscriminatory Interest
3. Evaluate Whether There Is a Less Discriminatory Alternative

For step 1, a complainant may present National statistics that provide grounds for HUD to investigate complaints challenging criminal history policies. National statistics may be used where, state or local statistics are not readily available and there is no reason to believe they would differ markedly from national statistics. Nationally, racial and ethnic minorities face disproportionately high rates of arrest and incarceration. E.g. in 2013, African Americans were arrested at a rate more than double their proportion of the general population. African Americans comprised 28.3% of all arrestees; yet individuals identifying as African American or black alone made up only 12.4% of the total U.S. population. In 2014, African Americans comprised 36% of the total prison pop. in the US, but only about 12% of the country’s total pop. Hispanics were incarcerated at a rate disproportionate to their share of the general pop.: 22% of the prison population, but only about 17% of the total U.S. population. Non-Hispanic whites comprised approximately 62% of the total U.S. population but only about 34% of the prison population. Across all age groups, the imprisonment rates for African American males is almost 6 times greater than for white males, and for Hispanic males, it is over twice that for non-Hispanic white males.

Additional evidence to show that a policy has a disparate impact on a protected class can be demonstrated through applicant data, tenant files, local census demographic data, and state or local statistics on racial and ethnic disparities in the criminal justice system where available (see local disparity data re: Snohomish County above) and appropriate based on a housing provider’s market area or other facts particular to a given case. Regardless of the data used, determining whether a policy or practice results in a disparate impact is ultimately a fact-specific and case-specific inquiry.

For step 2, a housing provider must prove that a policy or practice is justified (necessary to achieve a substantial, legitimate, nondiscriminatory interest of the provider). The interest proffered by the housing provider may not be hypothetical or speculative. The housing provider must provide evidence proving a substantial, legitimate, nondiscriminatory interest supporting the challenged policy and that the challenged policy actually achieves that interest. Ensuring resident safety and protecting property are often considered to be among the fundamental responsibilities of a housing provider. Courts may consider such interests substantial and legitimate, assuming they are the actual reasons for the policy or practice. A housing provider must prove through reliable evidence that its policy or practice of making housing decisions based on criminal history actually assists in protecting resident safety and/or property. Bald assertions based on generalizations or stereotypes that any individual with an arrest or conviction

record poses a greater risk than any individual without a record are not sufficient to satisfy the burden.

A housing provider with a policy or practice of excluding individuals because of one or more prior arrests (without any conviction) cannot satisfy its burden of showing that such policy or practice is necessary to achieve a substantial, legitimate, nondiscriminatory interest. Arrest alone does not prove a crime was committed. An arrest is not a reliable basis upon which to assess the potential risk to resident safety or property posed by a particular individual. A housing provider who denies housing based on arrests not resulting in conviction cannot prove that the exclusion actually assists in protecting resident safety and/or property.

In most instances, a record of conviction (as opposed to an arrest) will serve as sufficient evidence to prove that an individual engaged in criminal conduct. However, housing providers that apply a policy or practice that excludes persons with prior convictions must prove that such policy or practice is necessary to achieve a substantial, legitimate, nondiscriminatory interest. A housing provider that imposes a blanket prohibition on any person with any conviction record – no matter when the conviction occurred, what the underlying conduct entailed, or what the convicted person has done since then – will be unable to meet this burden. A housing provider with a more tailored policy or practice that excludes individuals with only certain types of convictions must still prove its policy is necessary to serve a substantial, legitimate, nondiscriminatory interest. A housing provider must show that its policy accurately distinguishes between criminal conduct that indicates a demonstrable risk to resident safety and/or property and criminal conduct that does not. A policy or practice that fails to take into account the nature and severity of an individual's conviction is unlikely to be necessary to serve a substantial, legitimate, nondiscriminatory interest. A policy or practice that does not consider the amount of time that has passed since the criminal conduct occurred is unlikely to satisfy this standard, esp. in light of criminological research showing that, over time, the likelihood that a person with a prior criminal record will engage in additional criminal conduct decreases until it approximates the likelihood that a person with no criminal history will commit an offense.

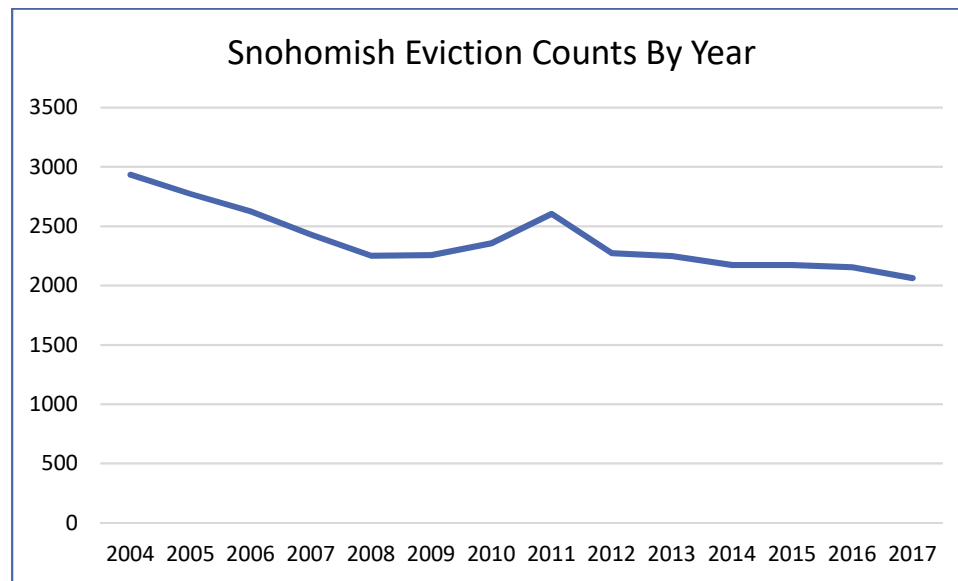
Step 3 is only applicable if a housing provider successfully proves that its criminal history policy or practice is necessary to achieve a substantial, legitimate, nondiscriminatory interest. Step 3 shifts the burden shifts back to plaintiff to prove that such interest could be served by another practice that has a less discriminatory effect. The HUD guidance provides that, conducting an individualized assessment of relevant mitigating information beyond that contained in an individual's criminal record is likely to have a less discriminatory effect than categorical exclusions. Relevant individualized evidence might include facts regarding the conduct, age at time of conduct, tenant history before and after conduct, and rehabilitation efforts. Delaying consideration of criminal history until after an individual's financial and other qualifications are verified, minimizes any additional costs that such individualized assessment might add to screening process.

HUD's guidance does not preclude housing providers from creating criminal history-based policies. However, housing providers should create thoughtful policies, narrowly tailored to serve substantial, legitimate, and nondiscriminatory interests of the housing provider.

11. Evictions

Between 2013 and 2017, 1 in 55 (1.8%) adults in Washington had an eviction action filed against them in court.⁴⁴ Most counties, except King, which had decreased evictions, have had near level numbers of evictions each year. In Snohomish County, the numbers of eviction filings ranged from a high of 2,934 in 2004, to 2,063 in 2017. See Chart 19. One in 374 adults had an eviction filing in 2017.

Chart 19



Source: Data from Table 4.1, *The State of Evictions: Results from the University of WA Evictions Project*

The University of Washington Evictions Project has correlated the three trends of supply of affordable housing, homelessness, and evictions.⁴⁵ Any decline in evictions, while seemingly positive, may in fact be the result of fewer low-income households available for eviction due to lost affordable housing stock and increased homelessness. At the time of the Great Recession, there was more affordable housing, but high homelessness rates and steady evictions, as many households experienced economic distress. As the economy recovered, affordable housing units increased marginally, and homelessness and evictions decreased. However, in 2012, WA started to lose affordable housing due to rising rents and has since lost 76,865 homes at the \$800 or less rent level. In 2014, evictions started to decrease, but homelessness increased. By 2017, homelessness increased above Great Recession levels.

⁴⁴ *The State of Evictions: Results from the University of Washington Evictions Project*, Timothy A. Thomas, Ott Toomet, Ian Kennedy, and Alex Ramiller, U. of WA, <https://evictions.study/washington/results.html#eviction-counts>

⁴⁵ *Id.*

Approximately 35% of Snohomish County unlawful detainer actions are resolved by default judgment (a judgment in favor of the landlord after non-appearance by the tenant), usually ordering the tenant to pay past due rent, late fees, court costs, and attorney fees. A public eviction record creates a barrier to accessing future housing.⁴⁶

Between 2004 and 2017, females were evicted 6% more than males in Washington State. However, in Snohomish County (and King County), men were evicted about 3% more than females.⁴⁷

⁴⁶ Id.

⁴⁷ Id.

V. EVALUATION OF EVERETT'S CURRENT FAIR HOUSING LEGAL STATUS

(FAIR HOUSING COMPLAINTS)

A. The Complaint Process

1. HUD / WSHRC

The Fair Housing Act (FHA) allows all aggrieved persons to file fair housing complaints with the U.S. Department of Housing & Urban Development (HUD). An aggrieved person includes any person who (1) claims to have been injured by a discriminatory housing practice; or (2) believes that such person will be injured by a discriminatory housing practice that is about to occur. Complainants can also file complaints directly with the Washington State Human Rights Commission (WSHRC). Complainants may include: tenants, rental applicants, home buyers, mortgage borrowers, fair housing organizations, neighbors denied the opportunity of an integrated community, and real estate agents and brokers who lost commissions. Anyone residing in the United States has fair housing protections, regardless of citizenship status.

Respondents can include: real property owners, property management companies and their employees, real estate agents and brokers, lending institutions, insurance companies, neighbors or persons who interfere with the use and enjoyment of property, and local, state and federal officers and agencies. A principal is legally responsible for all acts of an agent done within the scope of an agent's authority.

Administrative complaints must be filed with HUD within one year of the alleged discriminatory practice. 24 CFR § 103. In Washington, HUD refers almost all complaints to a HUD recognized Fair Housing Administration Program (FHAP) (a state or local enforcement agency with a substantially equivalent fair housing law or ordinance) for investigation and enforcement. The WSHRC is the only FHAP with jurisdiction over fair housing complaints filed with HUD arising out of Snohomish County.

After a complaint is filed with HUD and/or the WSHRC, a Respondent receives notification and a copy of the complaint, and then has ten days in which to file an answer. The Assistant General Counsel has authority to authorize the U.S. Department of Justice (DOJ) to seek preliminary relief in appropriate matters. HUD can also issue subpoenas in aid of its investigation. The FHA and its regulations require that HUD investigators attempt to resolve a complaint through conciliation prior to the issuance of a determination. If conciliation attempts are unsuccessful, the investigation will continue, with two possible outcome determinations: "no reasonable cause", or "reasonable cause", accompanied by the issuance of a charge of discrimination. Upon issuance of a charge, any party may elect to have the matter heard in federal district court. If elected, the matter is referred to the DOJ to file a civil action (or WA Attorney General if the WSHRC investigates). Otherwise, an Administrative Law Judge (ALJ) hears the matter. However, a complainant is not required to file a HUD administrative complaint or exhaust administrative remedies before filing an action in federal district or state court. A complaint must be filed in Court within two years of the last act of discrimination. If a complainant is successful in either an ALJ hearing or in Federal District Court, he or she can be awarded compensatory damages (tangible out-of-pocket actual damages, and intangible damages (for emotional distress, loss of housing opportunity, and violation of civil rights)), equitable relief (injunctive and declaratory), and attorney fees. 42 U.S.C. §3613. Respondents can also be ordered to pay civil penalties, monetary sums that are payable to the federal or state government. If a complaint is filed in federal district court, a plaintiff can also receive punitive damages, as well as a jury trial.

2. WA Residential Landlord Tenant Act

There is no government agency that enforces the source of income protections the WA Residential Landlord Tenant Act (RLTA). A rental applicant or tenant with a claim for source of income discrimination must file a civil action in WA Superior Court. This will usually require that a complainant retain an attorney with the legal knowledge to do so. A person found by the Court to have violated RCW 59.18.255 shall be liable in a civil action for up to 4.5 times the monthly rent of the real property at issue, court costs and reasonable attorneys' fees.

B. Everett Fair Housing Complaint Data

1. Fair Housing Center of Washington:

Intakes, Allegations, and Reasonable Accommodations Requested

The Fair Housing Center of Washington is a non-profit fair housing advocacy agency. It does not have binding authority to adjudicate fair housing disputes or enforce penalties for violations of the FHA. Instead, FHCW receives its primary grant funding from HUD's Fair Housing Initiatives Program (FHIP) to provide outreach, advocacy, and fair housing counseling to people who experience housing discrimination. Such activities include assisting complainants with filing administrative fair housing complaints with HUD and the WA State Human Rights Commission (WSHRC) and serving as an advocate for the complainant through the investigation and fact-finding process and conciliation discussions. FHCW also has legal standing to file complaints on its own behalf for violations of fair housing laws, and to seek compensation for diversion of resources and frustration of its mission. FHCW serves 23 counties in Western and Central Washington, including Snohomish.

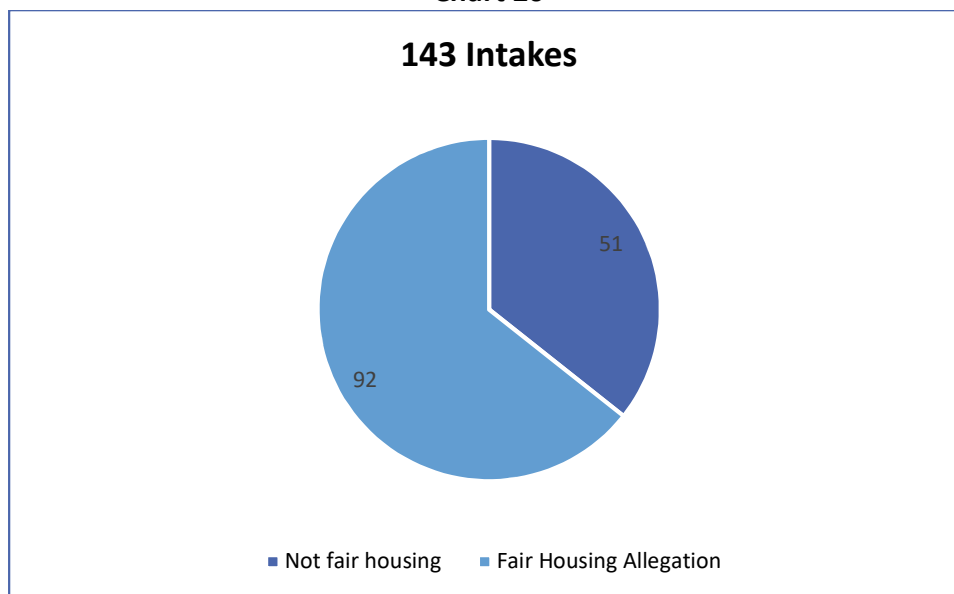
a. Intakes

FHCW receives 1500-2000 intakes from the public each year. Most initial inquiries to FHCW are made via phone, with additional in-person walk-in and website inquiry submissions. Of these, about 80% do not concern fair housing but instead involve issues of landlord-tenant law (repairs, security deposits, tenancy terminations, etc.) or requests for resources (housing, financial assistance, public subsidies, etc.). People seeking non-fair housing assistance are referred to appropriate resources in the community (legal aid, Housing Authorities, etc.). During the period November 2011 through October 2019, FHCW received 143 intakes from Everett.

b. Fair Housing Allegations

From the intakes FHCW receives, allegations of fair housing are opened as in-house cases for further review and investigation. A matter is only considered a fair housing allegation if a violation of the FHA based on a protected class is alleged. Fair housing allegations are reviewed to determine if evidence exists to substantiate the filing of a fair housing complaint with HUD and/or the WSHRC. Of the 143 intakes received from Everett during the period November 2011 through October 2019, 92 (62%) involved fair housing allegations.

Chart 20



By far, the greatest number of fair housing allegations involve alleged discrimination based on disability. This is in accord with national trends. In 2005, the number of disability-based complaints filed with HUD nationally overtook race-based complaints as the most common basis of filed complaints. The large number of disability-related allegations may stem from a combination of an aging baby-boomer population with increasing disabilities, greater awareness by housing consumers of the FHA protections for individuals with disabilities (added to the FHA in 1988), and the greater number of potential violations in the FHA regarding individuals with disabilities (failure to grant reasonable accommodations or modifications; failure to design and construct in accordance with FHA accessibility requirements), as compared to possible violations involving the other protected classes.

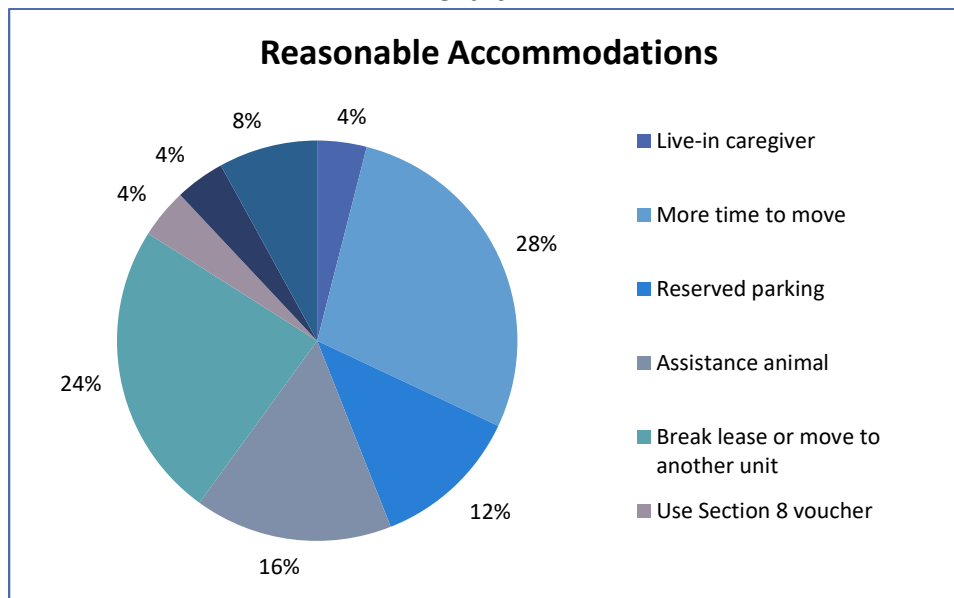
The majority of fair housing allegations received by FHCW involve requests for assistance to obtain reasonable accommodations (see subsection 1(c) below). The remainder of allegations are resolved through informal negotiations with housing providers, closure due to failure of complainant to cooperate (lack of communication, failure to locate, etc.), closure due to lack of allegations or evidence sufficient to meet the requirements for a prima facie case of housing discrimination, or the filing of complaints with HUD and the WSHRC (see subsection 2 below).

c. Reasonable Accommodations

FHCW assisted people with disabilities in Everett with 24 reasonable accommodation requests (some requests involved multiple accommodations) and 1 reasonable modification request between November 2011 and October 2019. Nineteen requests were granted by housing providers, 5 were denied, and 1 closed for administrative reasons. The successful resolution of landlord-tenant disputes through the accommodation process obviates the need to file complaints with HUD and the WSHRC.

Reflecting the difficulty of people with disabilities on low fixed disability-related income to easily find alternative housing in a low-vacancy rental market with rising rents, and the lack of financial resources to move personal belongings and pay application fees, security deposits, and first and last month's rent on a new unit, the largest number of reasonable accommodation requests (7) involved requests for more time to move. Other reasonable accommodation requests involved the need for assistance animals (4), reserved parking (3), live-in caregiver (1), move to another unit or break lease (6), use of section 8 voucher (1), enforcement of no parking policy and 2-bedroom voucher (1), and waive noise policy or move to a ground floor unit (2).

Chart 21



2. Administrative Fair Housing Complaints Filed with HUD and/or WSHRC

a. Fair Housing Complaints filed w/ HUD and WSHRC

Between November 2011 and March 2019, 43 complaints filed with HUD and / or the WSHRC originated in Everett.

Complaint data for Everett was obtained from HUD and the WSRHC for the period November 2011 through March 2019. Most, but not all, complaints filed with HUD are referred to the WSHRC for investigation pursuant to WSHRC's status as a HUD recognized Fair Housing Administrative Program (FHAP). Until 2019, when the WA Law Against Discrimination amended provisions regarding service animals went into effect, HUD retained and investigated housing discrimination complaints involving assistance animals. HUD also typically retains and investigates complaints based on allegations of design and construction provisions of the Fair Housing Act. Complaints that are referred by HUD to the WSHRC are "dual filed" and assigned both HUD and WSHRC complaint numbers. Therefore, the separate complaint data provided by HUD and WSHRC for Snohomish County included complaints that should only be counted as one complaint for purposes of calculating the number of discrimination complaints originating in the County.

The WSHRC has jurisdiction over additional protected classes not included in the Fair Housing Act (marital status, veteran/military status, creed, and sexual orientation), therefore complaints based on these protected classes are only filed with the WSHRC, not HUD.

The Complaint Tables below detail the number and type of complaints from Everett as reported by HUD and the WSHRC. The number of complaints filed with these agencies exceeds the number of complaints FHCW filed with HUD and the WSHRC (2 during the subject time period), as complainants can file complaints directly with HUD and the WSHRC and need not enlist FHCW's assistance. In total, 43 complaints were filed with HUD and/or the WSRHC from Everett from November 2011 – March 2019 (average of 6 per year).

Fair Housing Act Protected Class Complaints:

Disability-based housing discrimination complaints were the most common basis for filing a complaint (58.1% of all complaints). See Table C-7, Appendix C.

- 25 complaints based on disability were filed with HUD and/or the WSHRC.
- 4 of these complaints alleged race as a second basis of discrimination, 2 complaints alleged national origin as a second basis, and 1 complaint alleged sex as a second basis.
- Three of the complaints also alleged retaliation as a basis for the complaint.
- 12 of the disability-based complaints were identified as physical, and 1 was identified as mental.
- Issues in disability-based complaints included (1 complaint may have multiple issues):
 - Discrimination in terms, conditions or privileges relating to rental – (20)
 - Failure to make a reasonable accommodation – (14)
 - Failure to make a reasonable modification – (2)
 - Discriminatory acts under Section 818 (coercion, etc.), including harassment – (1)
 - Refusal to rent – (5)
 - Using ordinances to discriminate in zoning and land use – (1)

National Origin complaints made up 11.6% of housing discrimination complaints filed with HUD and or the WSHRC in Everett.

- 3 of 5 complaints were based on national origin alone, one was also based on race, disability, retaliation, and another was also based on disability.
- 4 out of 5 were based on Hispanic or Mexican national origin, and one was based on Sudanese national origin.
- Issues alleged in the national origin-based complaints included (1 complaint may have multiple issues):
 - Discrimination in terms, conditions or privileges relating to rental – (4)
 - Refusal to rent/sell – (1)
 - False Denial or Representation – (1)
 - Failure to Make Reasonable Accommodation – (1)
 - Steering – (1)

| Table 45 - National Origin Complaints | | | | |
|---------------------------------------|---|-------|-------------|-------|
| Basis | Basis | Basis | Basis | Basis |
| National Origin | Refusal to rent; False Denial or Representation; Discriminatory advertising, statements and notices | 2012 | HUD / WSHRC | 11.6% |
| National Origin | Discriminatory Terms, Conditions | 2016 | HUD / WSHRC | |
| National Origin | Discriminatory Terms, Conditions | 2016 | HUD / WSHRC | |
| National Origin, Disability | Discriminatory Terms, Conditions; Failure to Make Reasonable Accommodation | 2016 | HUD / WSHRC | |
| National Origin | Refusal to sell; Discriminatory Terms, Conditions; Steering | 2016 | HUD / WSHRC | |

Race based complaints were 27.9% of housing discrimination complaints filed with HUD and or the WSHRC in Everett. See Table C-7, Appendix C.

- Of the 12 race complaints, at least 10 were based on black race.
- Issues in race-based complaints included (1 complaint may have multiple issues):
 - Discrimination in terms, conditions or privileges relating to rental – (8)
 - Refusal to rent – (6)
 - Discriminatory acts under Section 818 (coercion, etc.) – Harassment (1)

Familial Status complaints were 9.3% of housing discrimination complaints filed with HUD and or the WSHRC from Everett.

- 1 of the 4 familial status complaints also alleged retaliation as a basis for the complaint.
- Issues in familial status-based complaints included (1 complaint may have multiple issues):
 - Discrimination in terms, conditions or privileges relating to rental – (4)
 - Refusal to rent or negotiate for rental – (1)
 - Discriminatory Advertising, statements or notices – (5)
 - False Denial or Representation – (1)
 - Discriminatory Acts under Section 818 (coercion, etc.) – (1)

| Table 46 - Familial Status Complaints | | | | |
|---------------------------------------|--|------------|----------------------------|----------|
| Basis | Issue | Date Filed | HUD & / or WSHRC Complaint | % of All |
| Familial Status, Retaliation | Discriminatory Terms, Conditions, Privileges, or Services and Facilities; Discriminatory Acts under Section 818 (coercion, etc.) | 2014 | HUD / WSHRC | 9.3% |
| Familial Status | Discriminatory Terms, Conditions | 2017 | HUD / WSHRC | |
| Familial Status | Discriminatory Terms, Conditions, False Denial or Representation | 2018 | HUD / WSHRC | |
| Familial Status | Discriminatory Terms, Conditions; Refusal to rent | 2018 | HUD / WSHRC | |

Sex-based complaints were 4.6% of housing discrimination complaints filed with HUD and or the WSHRC from Everett.

- 1 of the 2 sex complaints also alleged disability as a second basis for the complaint.
- Issues in sex status-based complaints included (1 complaint may have multiple issues):
 - Discrimination in terms, conditions or privileges relating to rental – (2)
 - Failure to make reasonable accommodation – (1)
 - Refusal to rent – (1)
 - Other – (1)

| Table 47 - Sex Complaints | | | | |
|---------------------------|--|------------|----------------------------|----------|
| Basis | Issue | Date Filed | HUD & / or WSHRC Complaint | % of All |
| Sex, Disability | Discriminatory Terms, Conditions; Failure to Make Reasonable Accommodation | 2016 | HUD / WSHRC | 4.6% |
| Sex | Discriminatory Terms, Conditions; Refusal to rent; Other | 2018 | HUD / WSHRC | |

Retaliation-based complaints were 2.3% of housing discrimination complaints filed with HUD and or the WSHRC from Everett.

- One complaint was filed based on retaliation alone, while six others had retaliation as an additional basis for the complaint.
- Issues in retaliation-based complaints included (1 complaint may have multiple issues):
 - Discriminatory acts under Section 818 (coercion, etc.) – (1)

| Table 48 - Retaliation Complaints | | | | |
|-----------------------------------|--|------------|----------------------------|----------|
| Basis | Issue | Date Filed | HUD & / or WSHRC Complaint | % of All |
| Retaliation | Discriminatory acts under Section 818 (coercion, etc.) | 2012 | HUD / WSHRC | 2.3% |

Religion-based complaints were 2.3% of housing discrimination complaints filed with HUD and or the WSHRC from Everett.

- One complaint was filed based on retaliation alone.
- Issues in religion-based complaints included (1 complaint may have multiple issues):
 - Discriminatory Terms, Conditions, Privileges, Services or Facilities – (1)

| Table 49 - Religion Complaints | | | | |
|--------------------------------|--|------------|----------------------------|----------|
| Basis | Issue | Date Filed | HUD & / or WSHRC Complaint | % of All |
| Religion | Discriminatory Terms, Conditions, Privileges, Services or Facilities | 2013 | HUD / WSHRC | 2.3% |

b. Fair Housing Complaint Outcomes:

Of the complaints filed with HUD and the WSHRC originating from Everett, 18.6% were resolved through conciliation, a mediation process required to be attempted by investigators pursuant to regulations. These resolved agreements are characterized by HUD and WSHRC as “conciliation / settlement successful”, or “Pre-Finding Agreement”. There were at least 8 such resolutions. See Table C-8, Appendix C, for a summary of conciliation agreements for known relief for complainants and the public interest.

Two complaints were withdrawn by complainant without resolution.

| Table 50 - Complaints Withdrawn w/o Resolution | | | | | | |
|---|------------|------------|-------------------|---|------------------|----------|
| Finding | Date Filed | Close Date | Basis | Issue | HUD & / or WSHRC | % of All |
| Complaint withdrawn by complainant without resolution | 2011 | 2012 | Race, Retaliation | Discriminatory Terms, Conditions relating to rental; Discriminatory Acts under Section 818 (coercion, etc.) | HUD / WSHRC | 4.6% |
| Complaint withdrawn by complainant without resolution | 2013 | 2014 | Race, Retaliation | Discriminatory Terms, Conditions; Refusal to rent, intimidation | HUD / WSHRC | |

Thirty-three complaints (76.7%) were dismissed after investigation led to “no reasonable cause” and/or were “dismissed for lack of jurisdiction”. Table C-9, Appendix C. The complainant bears the burden to prove discrimination occurred, and often there are no corroborating witnesses or documentary or other evidence of violations frequently alleged to occur verbally without other people present.

The low number of regional caused complaints is in accord with national statistics. In recent years, HUD has issued reasonable cause findings in only 1% of complaints. FHAPS nationally have had a 3% reasonable cause rate. In contrast, nearly 50% of complaints filed nationally are resolved through conciliation. Reasons for the large number of conciliated complaints and the miniscule number of charged complaints may include 1) the emphasis placed on conciliation by regulatory mandate; 2) limited federal and state resources to conduct fair housing hearings or engage in litigation, and, 3) the burden a complainant must meet to prevail against a respondent when there is often only conflicting oral testimony in the absence of corroborating witnesses or documentation.

3. Fair Housing Act Litigation

In 2015, the Washington State Attorney General filed a complaint in King County Superior Court against DSB Investments, LLC, the owner of Glacier View Apartments on Highway Place in Everett. The Attorney General alleged that Defendant engaged in race discrimination in violation of the Washington Law Against Discrimination, and unfair business practices prohibited by the State Consumer Protection Act. A tenant at the subject property had complained to the AG's office that its manager tows cars only belonging to African American tenants but not white tenants, and retaliated against tenants who complained by withholding repairs. In November 2015, the AG and Defendant reached settlement of the case by entry of an Assurance of Discontinuance⁴⁸, wherein Defendants agreed not to discriminate on the basis of race or color, agreed to adopt and implement a non-discrimination policy, and ensure all of its employees who work with tenants attend fair housing training. The Defendant also agreed to reimburse a tenant for \$657 towing expenses and pay \$1,250 for costs related to the Attorney General's investigation.

VI. Rental, Lending, Design & Construction, & Zoning⁴⁹

A. Rental Testing in Everett

Fair housing audit testing is a controlled method for measuring and documenting variations in the quality, quantity and content of information and services offered or given to various home seekers by housing service providers. Testing is a legitimate method of uncovering and detecting discrimination. In 1982, the U.S. Supreme Court confirmed the importance and validity of fair housing testing, in a unanimous decision, by reaffirming the role of the tester. *Havens Realty Corp. v. Coleman*, 455 U.S. 363 (1982) Testing refers to the use of individuals who, without a bona fide intent to rent or purchase a home, apartment, or other dwelling, pose as prospective renters or purchasers to obtain information for the purpose of evaluating the compliance of housing providers with fair housing laws. Fair housing testing utilizes rigorous protocols to ensure that any discrepancies identified in the course of testing can be attributed to differential treatment. The aggregate results of testing conducted in Snohomish County provide an objective opportunity to identify trends critical to the identification of impediments to fair housing choice.

⁴⁸<https://secureservercdn.net/184.168.47.225/8bc.1a4.myftpupload.com/wp-content/uploads/2015/11/Assurance-Of-Discontinuance.pdf>; <https://myeverettnews.com/2015/11/03/everett-apartment-owner-accused-of-discrimination/>

⁴⁹ No sales testing occurred in Everett during the reporting period of this Analysis of Impediments to Fair Housing.

Testing has taken place throughout the State of Washington since the mid-1990s as evidence for complaints and for audit testing, the latter of which is to gain perspective on housing practices in a given area. In general, the Fair Housing Center of Washington is the only agency that conducts testing in Western Washington, pursuant to HUD FHIP grant awards.

Tables 51 - 52 summarize the scope of FHCW's rental testing activities in Everett November 2011 through October 2019. Table 51 is organized by protected class tested. Twenty rental tests were conducted during this period. Eleven tests (55%) showed discrimination.

Seven (35% of all tests conducted) were based on disability; of these, 5 showed discrimination (71% of disability tests conducted). Disability had the highest rates of tests positive for discrimination, both as a percentage of disability tests conducted, and of all tests conducted in Everett.

Five tests were conducted based on national origin. Three (60 % of national origin tests conducted) showed discrimination, and two did not show discrimination.

Six familial status test were conduct. Three (60%) showed discrimination, two did not, and one was inconclusive.

Two race-based tests were negative for discrimination.

| Table 51 - RENTAL TESTING BY PROTECTED CLASS | | | | | | | | | |
|--|-----------|-----------------|-----------------------------|-----|-----------------------------|-----|--------------|---|----------|
| Zip | Test Date | Protected Basis | Negative for discrimination | | Positive for discrimination | | Inconclusive | | % of All |
| 98204 | 2012 | Disability | 1 | 10% | | 25% | | | 35% |
| 98203 | 2014 | | | | 1 | | | | |
| 98208 | 2015 | | 1 | | | | | | |
| 98204 | 2017 | | | | 1 | | | | |
| 98204 | 2018 | | | | 2 | | | | |
| 98208 | | | | | 1 | | | | |
| 98204 | 2012 | National Origin | | 10% | 1 | 15% | | | 25% |
| 98204 | 2013 | | | | 1 | | | | |
| 98208 | | | 1 | | | | | | |
| 98023 | | | 1 | | | | | | |
| 98208 | 2018 | | | | 1 | | | | |
| 98023 | 2013 | Familial Status | 1 | 10% | 1 | 15% | 1 | 1 | 30% |
| 98208 | 2017 | | | | 1 | | | | |
| 98203 | | | 1 | | | | | | |
| 98208 | 2018 | | | | 1 | | | | |
| 98203 | 2013 | Race | 1 | 10% | | | | | 10% |
| 98208 | 2016 | | 1 | | | | | | |
| TOTALS | | | 8 | 40% | 11 | 55% | 5% | 1 | 100% |

Testing was evenly divided among three Everett zip codes based on numbers of tests conducted. Zip code 98204 had more tests positive for discrimination (45.6%) than the other zip codes. More disability-based tests were conducted in zip code 98204.

| Table 52: RENTAL TESTING BY ZIP CODE | | | | | | | | | | |
|--------------------------------------|-----------------|-----------|----------------------|---------------------------|--|--------|--|-------|-------------------------------------|------|
| Zip Code | Protected Basis | Test Date | # tests per zip code | % of all tests in Everett | % of all Everett tests negative for discrimination | | % of all Everett tests positive for discrimination | | % of all Everett tests inconclusive | |
| 98023 | Familial Status | 2013 | 7 | 35% | 1 | 50% | 1 | 18% | 1 | 100% |
| | National Origin | | | | 1 | | | | | |
| | Race | | | | 1 | | | | | |
| | Disability | 2014 | | | | | 1 | | | |
| | Familial Status | 2017 | | | 1 | | | | | |
| 98204 | Disability | 2012 | 6 | 30% | 1 | 12.50% | | 45.6% | | |
| | National Origin | | | | | | 1 | | | |
| | National Origin | 2013 | | | | | 1 | | | |
| | Disability | 2017 | | | | | 1 | | | |
| | Disability | 2018 | | | | | 1 | | | |
| | Disability | | | | | | 1 | | | |
| 98208 | National Origin | 2013 | 7 | 35% | 1 | 37.50% | | 36.4% | | |
| | Disability | 2015 | | | 1 | | | | | |
| | Race | 2016 | | | 1 | | | | | |
| | Familial Status | 2017 | | | | | 1 | | | |
| | Disability | 2018 | | | | | 1 | | | |
| | Familial Status | | | | | | 1 | | | |
| | National Origin | | | | | | 1 | | | |

B. Lending

1. Lending Testing in Snohomish County

During 2014-2017, the Fair Housing Center of WA and Northwest Fair Housing Alliance conducted statewide audit lending testing based on sex and familial status. Testing was designed to determine if mortgage lender policies violated the Fair Housing Act by requiring mortgage borrowers on paid maternity leave to return to work before being approved for a loan. Neither of two tests performed in Everett showed discrimination.

| TABLE 53 | | | |
|----------|-----------|----------------------|-------------------|
| City | Test Date | Basis | Test Result |
| Everett | 2017 | Familial status /Sex | No discrimination |
| Everett | 2017 | Familial status /Sex | No discrimination |

2. Home Mortgage Disclosure Act Data

The Home Mortgage Disclosure Act (HMDA) was enacted by Congress in 1975 and implemented by the Federal Reserve Board's Regulation C. Rule-writing authority of Regulation C was transferred to the Consumer Financial Protection Bureau (CFPB) on July 21, 2011,

Home Mortgage Disclosure Act, or HMDA, data consist of information about mortgage loan applications for financial institutions, savings banks, credit unions and some mortgage companies. The data contain information about the location, dollar amount, and types of loans made, as well as racial and ethnic information, income, and credit characteristics of all loan

applicants. The data are available for home purchases, loan refinances, and home improvement loans. HMDA data can provide a picture of how different applicant types fare in the mortgage lending process. These data can be used to identify areas of potential concern that may warrant further investigations. For example, by comparing loan approval rates of minority applicants with non-minorities that have similar income and credit characteristics, areas of potential discrimination may be detected.

Loan Origination and Denial Rates

Everett

A Federal Financial Institutions Examination Council (FFIEC) and Consumer Protection Bureau website allows for downloading of HMDA data sets by State or MSA / MD. A HMDA data set for Everett alone is not available. Tables 54 and 55 were created by extracting Snohomish County coded data for Federal Housing Administration (FHA), Farm Service Agency/Rural Housing Services (FSA/RHS), Veteran Administration (VA) Loans (Table 54) and Conventional loans (Table 55) from a 2018 Seattle–Bellevue–Everett dataset, then excluding non-Everett tracts.⁵⁰

| Table 54: 2018 Home Mortgage Disclosure Act (HMDA) – Everett - FHA/ FSA/RHS, VA Loans | | | | |
|---|-------|--|---|--|
| Applications | N | Originated / Purchased / approved and not accepted / preapproval request approved but not accepted | App denied / preapproval request denied | withdrawn by applicant / closed for incompleteness |
| All applications | 1044 | 83.2% | 6.7% | 10.1% |
| | | 869 | 70 | 105 |
| Race / ethnicity of applicants | | | | |
| White, non-Hispanic | 493 | 82.4% | 7.5% | 10.1% |
| | 47.2% | 406 | 37 | 50 |
| White - All | 546 | 82.1% | 7.5% | 10.4% |
| | 52.3% | 448 | 41 | 57 |
| American Indian / Alaska Native | 11 | 81.8% | | 18.2% |
| | 1.1% | 9 | | 2 |
| Asian | 72 | 80.6% | 8.3% | 11.1% |
| | 6.9% | 58 | 6 | 8 |
| Black or African American | 37 | 59.5% | 18.9% | 21.6% |
| | 3.5% | 22 | 7 | 8 |
| Native Hawaiian / other Pacific Islander | 7 | 57.1% | 14.3% | 28.6% |
| | 0.7% | 4 | 1 | 2 |
| Joint applications, each applicant of a different race | 60 | 76.7% | 5.0% | 18.3% |
| | 5.7% | 46 | 3 | 11 |
| 2 or more minority races (each applicant) | 8 | 62.5% | 25.0% | 12.5% |
| | 0.8% | 5 | 2 | 1 |
| Race not available | 303 | 91.4% | 3.3% | 5.3% |
| | 29.0% | 277 | 10 | 16 |
| Hispanic or Latino | 79 | 81% | 6.3% | 12.7% |
| | 7.6% | 64 | 5 | 10 |

Source: https://ffiec.cfpb.gov/data-browser/data/2018?msamds=42644&loan_types=. Dataset set download 42644 - SEATTLE-BELLEVUE-EVERETT – WASHINGTON.

⁵⁰ Methodology: Snohomish Co. coded loans extracted, and Everett census tracts, reverse mortgages, refinance loans, conventional loans, home improvement loans, manufactured loans, loans for a business or commercial purpose, and subordinated loans, filtered out, leaving only primary conventional or FHA,FSA/RHS, VA loans for Single Family (1-4 Units), used as principle residences in Snohomish County, exclusive of Everett.

Eighty- three percent of all of FHA/ FSA/RHS, VA loans were originated or preapproved but not accepted. 6.7% of applicants were denied or had preapproval requests denied. Ten percent of applications were withdrawn or closed for incompleteness.

Non-Hispanic white applicants had an 82.4% positive application outcome and a 7.5% denial rate, followed by Asian applicants with 80.6% and 11.1% rates. Black and African American applicants accounted for 3.5% of all applications; they had a lower positive outcome rate (59.5%) and higher denial rate (18.9%) compared to whites and Asian applicants. American Indian / Alaskan Native and Hawaiian and other Pacific Islanders had only 11 and 7 applications respectively.

| Table 55: 2018 Home Mortgage Disclosure Act (HMDA) - Conventional Loans Everett | | | | |
|---|-------|--|---|--|
| Applications | N | Originated / Purchased / approved and not accepted / preapproval request approved but not accepted | App denied / preapproval request denied | withdrawn by applicant / closed for incompleteness |
| All Applications | 2437 | 82.4% | 5.2% | 12.4% |
| | | 2007 | 127 | 303 |
| Race / ethnicity of applicants | | | | |
| White, non-Hispanic | 1243 | 85.0% | 3.7% | 11.3% |
| | 51% | 1056 | 46 | 141 |
| White - All | 1344 | 84.5% | 3.9% | 11.5% |
| | 55.1% | 1136 | 53 | 155 |
| American Indian / Alaska Native | 16 | 87.5% | | 12.5% |
| | 0.7% | 14 | | 2 |
| Asian | 384 | 70.3% | 9.6% | 20.1% |
| | 15.8% | 270 | 37 | 77 |
| Black or African American | 72 | 84.7% | 9.7% | 5.6% |
| | 3% | 61 | 7 | 4 |
| Native Hawaiian / other Pacific Islander | 16 | 87.5% | | 12.5% |
| | 0.7% | 14 | | 2 |
| 2 or more races (each applicant) | 5 | 80% | | 20% |
| | 0.2% | 4 | | 1 |
| Joint applications, each applicant a different race | 96 | 81.3% | 7.3% | 11.5% |
| | 3.9% | 78 | 7 | 11 |
| Race not available | 504 | 85.3% | 4.6% | 10.1% |
| | 20.7% | 430 | 23 | 51 |
| Hispanic or Latino | 141 | 80.1% | 5.0% | 14.9% |
| | 5.8% | 113 | 7 | 21 |

Source: https://ffiec.cfpb.gov/data-browser/data/2018?msamds=42644&loan_types=. Dataset set download 42644 - SEATTLE-BELLEVUE-EVERETT – WASHINGTON.

Eighty-two percent of all conventional loans were originated or preapproved but not accepted and 5.2% were denied or had preapproval requests denied. 12.4% of applications were withdrawn or closed for incompleteness.

Non-Hispanic white applicants had an 85% positive application outcome and a 3.7% denial rate; Asian applicants had 70.3% and 9.6% rates. Black and African American applicants

accounted for 3% of all applications; they had a positive outcome rate (84.7%), higher than Asians, but a higher denial rate (9.7%) than white and Asian applicants did. American Indian / Alaskan Native and Hawaiian and other Pacific Islanders had only 16 applications each.

Seattle / Bellevue / Everett

Tables C-10, C-11, C-12, and C-13 (Appendix C), list the disposition of 52,345 conventional loan applications made in 2017, based on race, ethnicity, gender and income the Seattle / Bellevue / Everett region. Tables 65-68 list the same Information for 9,757 FHA, FSA/RHS, VA loans, and Tables 69-72 for 61,760 refinance loans.

White non-Hispanic applicants had the highest percentage (79.6%) for conventional loans originated, and lowest rate denied (6%). The percentages for other races and Hispanic or Latino applicants were: Asian (73.8% and 7%); Hispanic or Latino (72.2% and 8.8%); black or African American (70% and 11%); and American Indian/Alaskan Native (70.8% and 10%), There were relatively few applications from Native Hawaiian and Other Pacific Islanders, but their origination and denial rates were 76.8% and 9%.

| Table 56: Disposition of applications for CONVENTIONAL home-purchase loans 1- to 4-family and manufactured home dwellings, by race and ethnicity of applicant, 2017 | | | | | | |
|---|-----------------------|------------------|---------------------------------|---------------------|------------------------|---------------------------------|
| MSA/MD: 42644 - Seattle-Bellevue-Everett, WA | | | | | | |
| | Applications Received | Loans Originated | Apps. Approved But Not Accepted | Applications Denied | Applications Withdrawn | Files Closed for Incompleteness |
| Race | | | | | | |
| American Indian / Alaska Native | 161 | 70.8% | 2.5% | 10% | 12% | 5% |
| Asian | 13530 | 73.8% | 3.3% | 7% | 13% | 2.2% |
| Black or African American | 1075 | 70% | 2.7% | 11% | 14% | 2.2% |
| Native Hawaiian or Other Pacific Islander | 271 | 76.8% | 2.6% | 9% | 10% | 1.8% |
| White | 26187 | 79.1% | 2.8% | 6% | 11% | 1.7% |
| Ethnicity | | | | | | |
| Hispanic or Latino | 1560 | 72.2% | 3.4% | 8.8% | 13.2% | 2.3% |
| Not Hispanic or Latino | 40916 | 77.4% | 3% | 6.2% | 11.6% | 1.9% |
| Minority Status | | | | | | |
| White Non-Hispanic | 25247 | 79.6% | 2.8% | 5.4% | 10.6% | 1.7% |
| Others, Including Hispanic | 140 | 77.1% | 3.6% | 10% | 7.1% | 2.1% |

White non-Hispanic applicants had 78.8% of FHA/FSA/RHS/VA loans originated and 7.4% denied. Corresponding percentages for other races were: black or African American (68.4% and 12.7%); American Indian / Alaskan Native (71% and 8%); and Asian (70.8% and 12.3%); Native Hawaiian / Pacific Islander (79% and 10.2%). See also Tables C-14, C-15, C-16, and C-17 (App. C).

Table 57: Disposition of applications for FHA, FSA/RHS, and VA home-purchase loans, 1- to 4- family and manufactured home dwellings, by race and ethnicity of applicant, 2017

| MSA/MD: 42644 - Seattle-Bellevue-Everett, WA | | | | | | |
|--|-----------------------|------------------|---------------------------------|---------------------|------------------------|---------------------------------|
| Race | Applications Received | Loans Originated | Apps. Approved But Not Accepted | Applications Denied | Applications Withdrawn | Files Closed for Incompleteness |
| American Indian / Alaska Native | 100 | 71% | 1% | 8% | 16% | 4% |
| Asian | 894 | 70.8% | 2.6% | 12.3% | 12.9% | 1.5% |
| Black or African American | 551 | 68.4% | 2.0% | 14.2% | 12.7% | 2.7% |
| Native Hawaiian or Other Pacific Islander | 118 | 79% | 3.4% | 10.2% | 7.6% | 0% |
| White | 6211 | 78% | 2.2% | 7.7% | 10.6% | 1.2% |
| Ethnicity | | | | | | |
| Hispanic or Latino | 664 | 72.1% | 2.9% | 10.1% | 13.3% | 1.7% |
| Not Hispanic or Latino | 7518 | 77.1% | 2.2% | 8.5% | 10.8% | 1.3% |
| Minority Status | | | | | | |
| White Non-Hispanic | 5743 | 78.8% | 2.2% | 7.4% | 10.4% | 1.1% |
| Others, Including Hispanic | 51 | 74.5% | 2% | 11.8% | 7.8% | 3.9% |

Refinance applications had the lowest origin rates and highest denial rates of all types of home loans. Again, disparities by race are evident. White non-Hispanic applicants had the highest percentage (61%) of refinance loans originated, and lowest rate (13.3%) denied. The rates for other races and Hispanic or Latino applicants were: black or African American (45.2% and 22.4%); American Indian/Alaskan Native (52.8% and 18%); Asian (53.2% and 17.9%); Native Hawaiians / Pacific Islanders: (51.3% and 20.3%); and Hispanic or Latino (46.1% and 20%). See also Tables C-18, C-19, C-20, and C-21 (App. C).

Table 58: Disposition of applications to REFINANCE loans on 1- to 4- family and manufactured home dwellings, by race and ethnicity, 2017

| MSA/MD: 42644 - Seattle-Bellevue-Everett, WA | | | | | | |
|--|-----------------------|------------------|---------------------------------|--------------|------------------------|---------------------------------|
| Race | Applications Received | Loans Originated | Apps. Approved But Not Accepted | Apps. Denied | Applications Withdrawn | Files Closed for Incompleteness |
| American Indian / Alaska Native | 339 | 52.8% | 4.4% | 18% | 18% | 6.8% |
| Asian | 7078 | 53.2% | 2.9% | 17.9% | 18.9% | 7.1% |
| Black or African American | 1933 | 45.2% | 2.9% | 22.4% | 22.3% | 7.1% |
| Native Hawaiian or Other Pacific Islander | 493 | 51.3% | 2.6% | 20.3% | 19.7% | 6.1% |
| White | 38334 | 60.4% | 2.8% | 13.6% | 17.4% | 5.8% |
| Ethnicity | | | | | | |
| Hispanic or Latino | 1928 | 46.1% | 3.0% | 21% | 23% | 7% |
| Not Hispanic or Latino | 47949 | 59% | 2.8% | 14.5% | 17.8% | 6.0% |
| Minority Status | | | | | | |
| White Non-Hispanic | 37068 | 61% | 2.8% | 13.3% | 17.2% | 5.7% |
| Others, Including Hispanic | 216 | 42.6% | 3.7% | 25% | 22.2% | 6.5% |

Tables C-23, C-24, and C-25 (Appendix C), provide aggregate loan data for applications made in 2018, by race, income and ethnicity; race and sex; and ethnicity and sex. 647 financial institutions reported data for the 2018 Seattle / Bellevue / Everett MSA aggregate HMDA report.⁵¹

Like 2017, white applications were originated at a higher rate (65.9%) and denied at a lower rate (13.1%), compared to applications from other races and Hispanics.

| Table 59: Disposition of loan applications, by race and ethnicity of applicant, 2018 | | | | | | |
|--|----------------|------------------|---------------------------------|--------------|-----------------|---------------------------------|
| MSA/MD: 42644 - SEATTLE-BELLEVUE-EVERETT, WA | | | | | | |
| Race | Apps. Received | Loans Originated | Apps. Approved But Not Accepted | Apps. Denied | Apps. Withdrawn | Files Closed for Incompleteness |
| American Indian or Alaska Native | 731 | 53.5% | 1.2% | 26.7% | 13.8% | 4.8% |
| Asian | 26905 | 61.4% | 2.6% | 17.7% | 14.5% | 3.8% |
| Black or African American | 4562 | 51.6% | 2.5% | 25.6% | 15.9% | 4.3% |
| Native Hawaiian or Other Pacific Islander | 858 | 52.3% | 1.6% | 26.6% | 15.2% | 4.3% |
| White | 88250 | 65.9% | 1.9% | 15.9% | 13.1% | 3.3% |
| 2 or more minority races | 494 | 54.3% | 1.4% | 21.1% | 18.8% | 4.5% |
| Ethnicity | | | | | | |
| Hispanic or Latino | 5595 | 55.7% | 2.3% | 22.9% | 15.3% | 3.9% |
| Not Hispanic or Latino | 118377 | 64.5% | 2.0% | 16.6% | 13.4% | 3.5% |

Even when applications are compared by income level, white non-Hispanic applications were originated at higher rates, and denied at lower rates, than applications from blacks, Asians, Native Americans and Alaska Natives, and Hawaiian or other Pacific Islanders at every income level (with the exception of Hawaiian / Pacific Island applications at 80-99% median income, although only by .1%). See Table 3 C-2, Appendix C.

⁵¹ <https://ffiec.cfpb.gov/data-publication/aggregate-reports/2018/WA/42644/i>

C. Accessibility

Inaccessible properties limit the housing choices of individuals with disabilities. They may be discouraged from applying to rent a unit, may not have full use of their unit, or may have to endure minor to major inconveniences that other tenants do not. To address these concerns, the federal Fair Housing Act requires that multi-family dwelling complexes constructed for first occupancy on or after March 13, 1991 comply with seven accessibility requirements. Buildings that meet the following criteria must comply with the FHA accessibility requirements:

- Have 4 or more dwelling units
- Have been built for first occupancy after March 13, 1991
- Have at least one dwelling unit actually occupied
- Have had a certificate of occupancy issued

If building meets these criteria, then all dwelling units in buildings with one or more elevators, and all ground floor dwelling units in other buildings, must meet the seven accessibility requirements. Examples of covered buildings include: single-story townhouses, vacation timeshare units, college dormitories, apartments, and condominiums. Multistory dwelling units are not covered unless the building has an elevator, in which case the primary entry level is covered.

The seven FHA accessibility requirements are:

1. Accessible Building Entrance on an Accessible Route
2. Accessible and Usable Public and Common Areas
3. Usable Doors
4. Accessible Route Into and Through the Covered Dwelling Units
5. Light Switches, Electrical Outlets, Thermostats and Other Environmental Controls in Accessible Locations
6. Reinforced Walls for Grab Bars
7. Usable Kitchens and Bathrooms

To assist developers of multi-family housing comply with the FHA accessibility requirements, HUD issued a Fair Housing Act Design Manual (FHADM) in 1996. The FHADM includes:

- Fair Housing Accessibility Guidelines (March 6, 1991, 56 F.R. 9472-9515, 24 CFR Ch.I, Subch.A, App.II & III). Compliance with the Guidelines provides a safe harbor for compliance with the Fair Housing Act. The Guidelines reference the 1986 ANSI A117.1 American National Standard for Buildings and Facilities as an acceptable standard to meet; or an equivalent or stricter standard (e.g. 1992 CABO/ANSI).
- Supplement to Notice of Fair Housing Accessibility Guidelines: Q & As About the Guidelines (59 F.R. 33361-33363 (6/28/94), 24 CFR Ch. 1, SubCh. A, App. IV.

On April 30, 2013, US Depts. HUD and DOJ issued joint guidance, *Accessibility (Design and Construction) Requirements For Covered Multifamily Dwellings under the Fair Housing Act*.⁵² The guidance includes a list 10 HUD-recognized “safe harbors” for compliance with the Fair Housing Act’s design and construction requirements:

1. HUD’s March 6, 1991 Fair Housing Accessibility Guidelines and the June 28, 1994 Supplemental Notice to Fair Housing Accessibility Guidelines: Questions and Answers About the Guidelines;
2. ANSI A117.1-1986 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD’s Regulations and the Guidelines;
3. CABO/ANSI A117.1-1992 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD’s Regulations, and the Guidelines;
4. ICC/ANSI A117.1-1998 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD’s Regulations, and the Guidelines;
5. HUD’s Fair Housing Act Design Manual published in 1996 and revised in 1998;
6. Code Requirements for Housing Accessibility 2000 (CRHA), approved and published by the International Code Council (ICC), October 2000;
7. International Building Code (IBC) 2000, as amended by the IBC 2001 Supplement to the International Codes;
8. 2003 International Building Code (IBC), with one condition*. Effective Feb. 28, 2005, HUD determined that the IBC 2003 is a safe harbor, conditioned upon the ICC publishing and distributing the following statement to jurisdictions and past and future purchasers of the 2003 IBC; ICC interprets Sec. 1104.1, and specifically, the exception to Sec. 1104.1, to be read together with Sec. 1107.4, and that the Code requires an accessible pedestrian route from site arrival points to accessible building entrances, unless site impracticality applies. Exception 1 to Sec. 1107.4 is not applicable to site arrival points for any Type B dwelling units because site impracticality is addressed under Sec. 1107.7;
9. ICC/ANSI A117.1-2003 - Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD’s Regulations, and the Guidelines; and 21
10. 2006 International Building Code, published by ICC, January 2006, with the 2007 erratum (to correct the text missing from Section 1107.7.5), and interpreted in accordance with relevant 2006 IBC Commentary.

➤ **Consideration for the Jurisdiction:** Everett adopted the International Building Code (IBC), published by the International Code Council, Inc., as adopted by the WA State Building Code Council in Ch. 51-50 WAC. EMC 16.005.030. The Everett ordinance includes the automatic adoption of the most recent State Building Code amendments. Effective 7/1/20, WA has adopted the 18th ed. of the IBC. WAC 51-50-003. HUD has not yet recognized the 2018, 2015, 2012, and 2009 eds. of the IBC, which incorporate 2009 ANSI A117.1, as safe harbors. On 1/? /20, HUD published a proposed rule to adopt as additional safe harbors the 2009 ed. of International Code Council (ICC) Accessible and Usable Building and Facilities (ICC A117.1-2009) and the 2009, 2012, 2015 and 2018 eds. of the IBC. Until a final rule adopts additional safe harbors, to the extent there are any material variations between the newest IBC and the 2006 IBC safe harbor, care should be taken by developers, architects, contractors, and engineers to ensure that new multi-family housing is designed and constructed in compliance with the Fair Housing Act.

⁵² <https://archives.hud.gov/news/2013/JOINTSTATEMENT.pdf>

Violations in Everett:

Despite the fact that the FHA design and construction requirements have been in existence for 28 years, and significant litigation has occurred involving the Fair Housing Act accessibility requirements and rental properties in Washington and the nation. Multi-family complexes are still being built in non-conformance with the law.

Historically, fair housing agencies have not audited new constructed multi-family properties in Everett, therefore it is unknown to what extent violations exist.

Enforcement:

The Fair Housing Act itself does not require local governments to ensure compliance with the federal law. However, it is the policy of HUD to encourage States and units of general local government to include, in their existing procedures for the review and approval of newly constructed covered multifamily dwellings, determinations as to whether the design and construction of such dwellings are consistent with the FHA design and construction requirements. Determinations of compliance or noncompliance by a State or a unit of general local government are not conclusive in enforcement proceedings under the FHA. 44 FR 9502 (March 6, 1991). Importantly, however, the State Building Code is to be enforced by Counties and Cities. RCW 19.27.050.

More on the 7 FHA Accessibility Requirements:

i. Accessible Entrance on Accessible Route

Covered dwelling units must have at least one building entrance on an “accessible route” (an unobstructed path that a wheelchair can negotiate). Route examples include corridors, floors, ramps, elevators, lifts, parking access aisles, curb ramps. Violations include: dwelling entrances with steps or entrance walks that are too steep, steep ramps without safety provisions such as handrails, edges, and landings, and accessible entrance walks that do not connect to a pedestrian arrival area (e.g. parking lot).

ii. Accessible and Usable Public and Common Areas

Common use areas include: rooms, spaces, or elements inside or outside of buildings that are made available for use by residents and guests. Public use areas include the interior or exterior spaces of a building that are available to the general public. Examples are: lobbies, parking areas, laundry rooms, lounges, refuse rooms, recreation areas, passageways, hallways, pools, decks, playgrounds, rental offices, mailbox areas, club houses, tennis courts, spas, game rooms, and bathrooms.

Violations of this requirement include: curb ramps that are steep, lack side wings, or are accessible only from heavily trafficked areas; not enough curb ramps to make a site accessible, requiring people with wheelchairs to run into dead ends, have to travel much further, or use parking lots or driveways to get around; and no accessible parking at site facilities (mailboxes, laundry rooms, playgrounds, offices, garbage dumpsters).

Two percent of all parking spaces serving dwelling units must be accessible, and at least one space of every type (covered, garage, etc.). If visitor parking is provided, then there must be one accessible parking space at each rental/sales office.

Inaccessibility in public and common areas may also violate Title III of the Americans with Disabilities Act (ADA). The ADA governs the public and common areas of rental complexes, including on-site rental offices, recreation rooms, walkways, and parking lots.

iii. Usable Doors

All doors into and within all premises must be sufficiently wide to allow wheelchairs to pass through. Violations include: doors to walk-in closets and storage rooms that do not provide clear opening so that tenants with wheelchairs or walkers can use these areas of a dwelling; a second door into a bathroom that does not provide a nominal 32" clear opening (multiple doors to a bathroom allow privacy and convenience).

iv. Accessible Route Into and Through Unit

Violations include: level changes at primary entrances that exceed the allowable ½" between the floor of unit and the exterior entry landing; and door thresholds that exceed the maximum height and are not beveled.

v. Light Switches, Electrical Outlets, Thermostats and Other Environmental Controls in Accessible Locations

Violations include: Electrical Outlets placed too low for wheelchair access and light switches and thermostats placed too high.

vi. Reinforced Walls for Grab Bars

Bathrooms must have reinforcements in the walls to allow later installation of grab bars around the toilet, bathtub, shower stall, and shower seat. The FHA requires that covered units be "adaptable"; in some instances, they require less accessibility than state or local building code requirements.

vii. Usable Kitchens and Bathrooms

Kitchens and bathrooms must allow space for wheelchair maneuvering. An example of a violation is a kitchen sink that is not positioned with a 30" x 48" clear floor area parallel to and centered on the sink, but instead the sink is in the elbow of an "L" shape so that wheelchair users cannot access the sink.

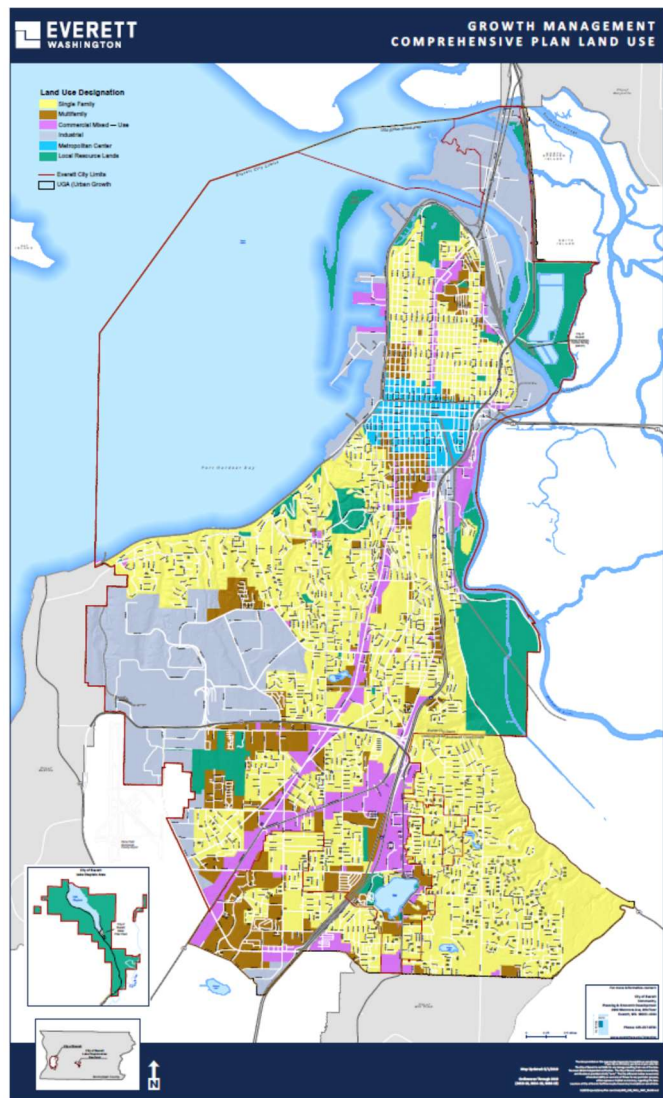
D. Land Use and Zoning

1. Everett Zoning

The current Everett zoning code was adopted in 1989 and has been amended 220 times. Since 2018 Metro Everett, the City simplified the future land use map, updated the city's sign code and critical area regulations. Over half of Everett's planning area, excluding Lake Chaplain and tidal waters, is set aside for almost exclusive residential use; 46% of that area is for single family residential and 9% multifamily. There are over 30 zones with different uses, and some repetition among the code provisions: including ten that are designated for business and commercial use, 6 industrial, and 10 residential zones. Of the 10 residential zones, five are single family and five are multi-family zones. Development standards (maximum building height, maximum density, minimum lot area and width, lot coverage, setbacks, and open space) vary by zone.

MAP 45
Everett Land Use Designation

Yellow = single family
Brown = multifamily
Pink = Commercial Mixed - Use
Grey = Industrial
Blue = Metropolitan Center
Green = Local Resource Lands



Source: <https://everettwa.gov/DocumentCenter/View/15147/COMPREHENSIVE-PLAN-LAND-USE-5119-WALL-MAP-PDF?bidId=>

a. Single family zones

Everett's five single-family zones (R-S, R-1, R-2, R-1(A) and R-2(A)) allow mostly the same types of housing, the largest difference being minimum lot areas. All single family zones allow for single-family detached structure, as well as single family attached (with conditions in three zones regarding owner occupancy minimum lot sizes). Duplexes are permitted in four single-family zones (all except R-S), all with conditions. Triplexes, four-plexes and five or more unit buildings are prohibited in all single-family zones.

Accessory Dwelling Units ("ADU") are secondary dwelling units located on the same lot as a single-family dwelling unit that is designed, arranged, occupied or intended to be occupied by not more than one family as living accommodations independent from the accommodations for the principal dwelling unit. ADUs may be attached or within a principal dwelling unit, or detached (DADU) from the principal dwelling unit. ADUs are permitted as an accessory use to a dwelling unit if the owner occupies the principal dwelling unit or the ADU, and complies with a building height maximum of 24' (18' maximum for some non-alley lots), and rear setbacks of 20' for non-alley lots.

b. Multifamily zones

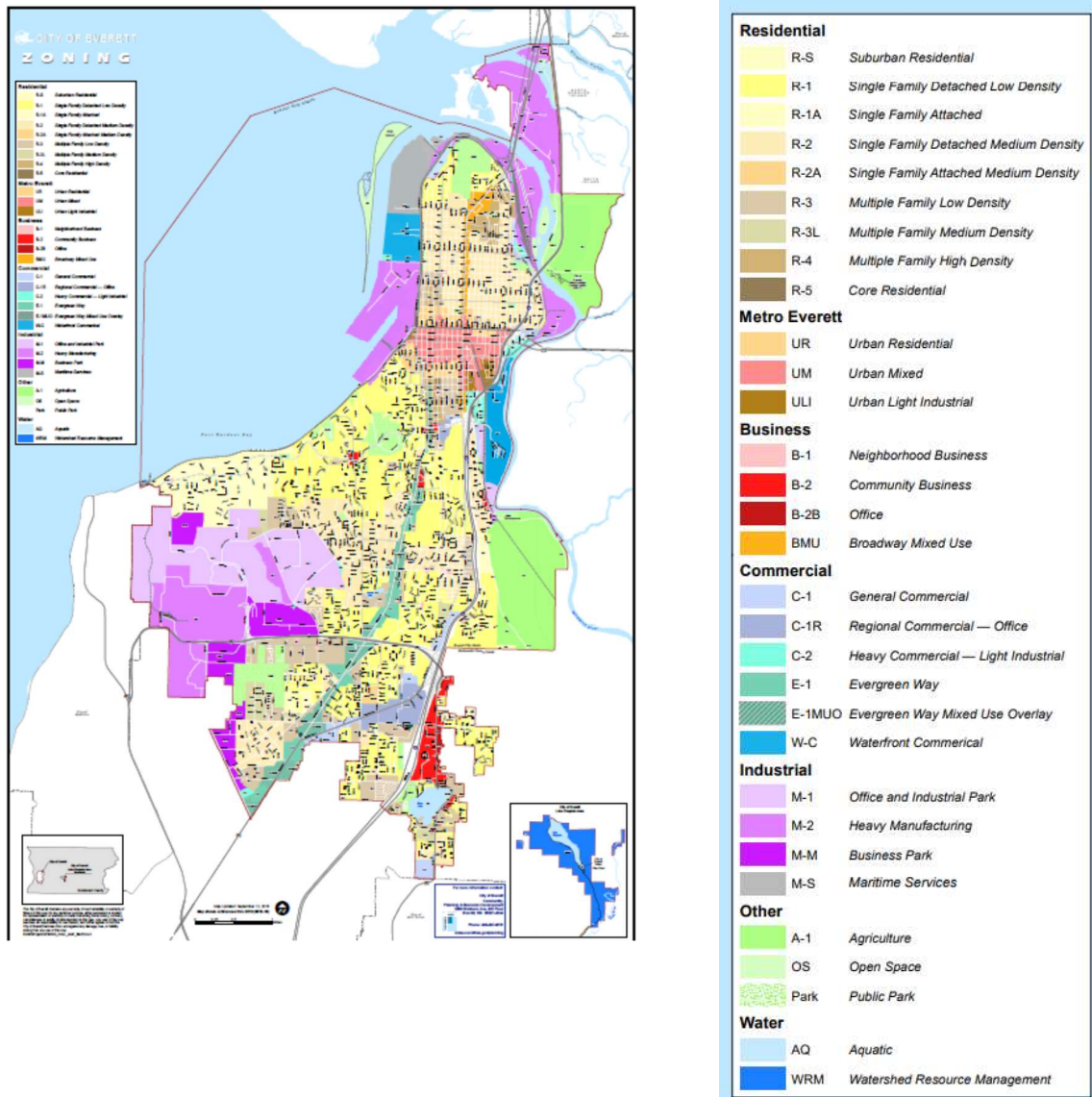
There are five multi-housing zones in Everett (R-3(L), R-3, R-4, R-5, and UR). The housing types allowed in multifamily zones are almost the same, with some differences in maximum building height and unit density. Four multifamily zones (all except UR, the Urban Residential zone that requires 3 or more units) allow single-family detached, single family attached, and duplexes. All five multifamily zones allow triplexes, four-plexes, and five or more unit structures.

Rooming houses are permitted in multifamily zones but prohibited in single-family zones. Rooming houses are structure used to provide lodging or lodging and meals, for persons other than those under the "family" definition, for more than thirty days. Rooming houses include dormitories and cooperative housing, but not hotels, motels, medical care facilities or bed and breakfast facilities. The number of boarding rooms shall not exceed the number of dwelling units allowed by the density standards of the zone.

Cottage housing are small, detached dwelling units clustered around a central common open space. Cottage housing is permitted only in the R-3, R-4 and R-5 zones designated as a Core Residential Area, and within the Urban Residential Areas of Metro Everett

Supportive housing allowed within multifamily zones (it is only allowed in single-family zones on land owned by a public agency or where a public agency has transferred to another entity for this purpose). Supportive housing includes low barrier housing, and services intended as a cost-effective way to help people live more stable and productive lives. It is a multiple-family dwelling owned or sponsored by a qualified nonprofit provider or government entity, designed for occupancy by persons that are either (1) experiencing or at risk of experiencing homelessness; (2) are experiencing a disability that presents barriers to employment and housing stability; or (3) generally require structured supportive services such as case management and twenty-four-hour on-site facility management to be successful living in the community and is intended to provide long-term, rather than transitional, housing.

MAP 47 Everett Zoning Boundaries



Source: <https://everettwa.gov/DocumentCenter/View/15145/ZONING-91918-WALL-MAP-PDF>

c. Rethink

The City of Everett's housing goal is to: provide sufficient housing opportunities to meet the needs of present and future residents of Everett for housing that is decent, safe, accessible, attractive and affordable. Everett policymakers however have realized that Everett has a housing affordability problem. Incomes are not keeping pace with housing costs, which have increased up to 173% since 1990, while household income has increased just 92%. The gap between income and housing costs places the greatest burden on low-income households. Over 60% of extremely low-income renter households (30% AMI or below) pay more than 50% of their income on housing costs. These households are at risk of becoming homeless. Everett officials and

representatives embarked upon a **Rethink Housing** initiative⁵³ and participated in the Countywide Housing Affordability Regional Taskforce (HART) (see sec. VIII C herein).

Similarly, in 2019 Everett commenced **Rethink Zoning**, a multi-year effort to ensure that Everett's development regulations support efforts to recruit new businesses and secure a wide range of housing opportunities at all price points for people at all economic levels. Housing is a major issue to be explored during Rethink Zoning. Key questions include:

- Does the City's zoning affect housing affordability?
- Does the City's zoning restrict access to housing in all neighborhoods?

The Rethink Zoning initiative will consider whether the existing zoning code can accommodate projected growth to 178,339 people by 2043, address the needs of increased non-family households, support expanded transit and the 2036 light rail, how the existing zoning code affects affordability, and whether existing development and use standards can be simplified (particularly with respect to lot size, density limits, maximum building heights, and uses). Current concepts being considered include reducing 10 residential zones to four (two single-family and two multi-family zones)⁵⁴.

Rethink Zoning will be achieved in two steps. Step 1 is focused on how to simplify the City's development codes, including exploring adding new housing types in single-family zones, new standards for commercial, industrial and multifamily development, and new approaches to regulating building height and transitions to residential zones. Public workshops, community surveys, and open houses are being conducted to receive public input. An environmental impact statement (EIS) and analysis under the State Environmental Policy Act (SEPA) will be completed to assess impacts that changes might have on the environment. Step 2 will consider future land use considerations and the City's Growth Management Act (GMA) update due in 2023, which requires the City to accommodate an additional 66,500 residents and 70,000 employees by 2043.

2. Family Composition Regulations

a. The Fair Housing Act

As expressed in a House Report of the 100th Congress, one of the intentions of the Fair Housing Amendments Act of 1988 was:

that the prohibition against discrimination against those with handicaps apply to zoning decisions and practices. The Act is intended to prohibit the application of special requirements through land-use regulations, restrictive covenants, and conditional or special use permits that have the effect of limiting the ability of such individuals to live in the residence of their choice in the community.

[HR Report 100-711, page 24] reprinted in 1988 U.S.C.A.N. 2173, 2184-85.

i. Maximum Occupancy Restrictions vs. Family Composition Regulations:

Section § 3607 (b)(1) of the Fair Housing Act states: Nothing in this subchapter limits the applicability of any reasonable local, State, or Federal restrictions regarding the maximum

⁵³ <https://everettwa.gov/2501/Rethink-Housing>

⁵⁴ <https://everettwa.gov/DocumentCenter/View/20144/Rethink-Residential-Concept-5-22-19-rev-6-11?bidId=>

number of occupants permitted to occupy a dwelling. ... Maximum occupancy restrictions are permissible if “applied to all occupants” and do not distinguish between related and unrelated persons. H.R. Rep. No 711, 100th Cong., 2d Sess. 24, at 31 (1988), reprinted in 1988 U.S.C.C.A.N. 2173, at 2192.

The U.S. Supreme Court distinguished between maximum occupancy restrictions and family composition regulations in 1995, in a case involving a group home Oxford house for 10 to 12 adults recovering from alcohol and drug addiction in a leased house in Edmonds, WA.⁵⁵ The City issued criminal citations to the owner and a resident of the house, charging them with violating zoning restrictions that limited to five the maximum number of unrelated persons living within a single-family residence. The Court held that Edmond’s restriction was a component of a family composition rule and therefore not exempt from the Fair Housing Act.

A restriction placed on the number of unrelated persons does not qualify as a maximum occupancy restriction and is not exempt from the FHA under 42 U.S.C. § 3607(b) (1). Whereas, “[m]aximum occupancy restrictions ... cap the number of occupants per dwelling, typically in relation to available floor space or the number and type of rooms.” Maximum occupancy restrictions apply uniformly to all and are created for health and safety concerns.

Municipal land-use restrictions designate “districts in which only compatible uses are allowed and incompatible uses are excluded. ... Policy considerations in support of reserving a place of peace and quiet enjoyment for families necessitate the defining of family in that “family composition rules are an essential component of single-family residential use restrictions.” However, rules “designed to preserve the family character of a neighborhood, fastening on the composition of households rather than on the total number of occupants living quarters can contain, do not” fall within the absolute exemption of the FHA. *Id.*

- ii. If a regulation is not exempt from the Fair Housing Act as a maximum occupancy standard, the next step of evaluation is to determine whether it violates the Fair Housing Act.

Another Washington case, based on a Bellevue ordinance, addressed whether a definition of “family” violated the Fair Housing Act.⁵⁶ Bellevue Ordinance No. 4861 defined “family” as “[o]ne or more persons (but not more than six unrelated persons) living together as a single housekeeping unit.” The ordinance defined a “group facility” as a “staffed living facility for a group of persons, which may include both children and adults.” Each group facility was required to be at least 1,000 feet from another group facility of the same type; group facilities located in residential zones R-1 through R-7.5 were limited to six residents, two resident staff, and minor children of the residents and the staff even though any number of related individuals could reside together. The Court held that the language of the ordinance was facially invalid because it distinguished between group facilities and families based on the presence of “staff” who provide “care and supervision for and assistance with the daily living activities of the Residence in a Group

⁵⁵ *City of Edmonds v. Oxford House*, 514 U.S 725 (1995).

⁵⁶ *Children's Alliance v. City of Bellevue*, 950 F.Supp. 1491 (W.D.Wash.1997).

Facility.” “Staff” was a proxy for a classification based on the presence of individuals under 18 and individuals with handicaps as both groups require supervision and assistance. The distinction drawn between families and groups constituted a Fair Housing Act violation because of the burdens placed on the latter but not on the former.

iii. Reasonable Accommodations.

The failure to modify the definition of family or make an exception for group homes for people with disabilities may also constitute a refusal to make a reasonable accommodation under the Fair Housing Act.⁵⁷

iv. Familial Status.

The Fair Housing Act also includes a prohibition against discrimination based on familial status (one or more individuals, under the age of 18 living with a parent, a person having legal custody of such individual(s), or the designee of such parent or legal custodian). This provision may be violated when land use practices effect group or other supported housing for children with disabilities.⁵⁸

b. The Washington Housing Policy Act.

The Washington State Legislature adopted the WHPA to, among other things, “[i]ncrease the supply of housing for persons with special needs.” RCW 43.185B.005(2) (e). The WHPA is a broad provision tailored to address municipal ordinances, practices, or policies that treat similar residential structures “differently” based on the residents' handicap and familial status.

WA RCW 35.63.220 and RCW 35A.63.240 states:

No city may enact or maintain an ordinance, development regulation, zoning regulation or official control, policy, or administrative practice which treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. As used in this section, "handicaps" are as defined in the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3602).

In variance from the federal Fair Housing Act, the WHPA:

- Does not contain an intent requirement
- Does not require a showing of “discrimination”
- Prohibits ordinances, practices, or policies that distinguish between residential structures based on the residents' handicaps and familial status

⁵⁷ See e.g., *US v. City of Taylor*, 872 F.Supp.423 (E.D. Mich. 1995), modified in part, 102 F. 3d 781 (6th Cir. 1996); *Oxford House v. Babylon*, 819 F.Supp. 1179 (E.D.N.Y. 1993); *Oxford House-Evergreen v. City of Plainfield*, 769 F.Supp. 1329 (D.N.J. 1991); *Parish of Jefferson v. Allied Health Care, Inc.*, C.A. No. 91-1199, (E.D. La., June 10, 1992), 1992 WL 142574 (E.D.La. 1992); *Hovsons, Inc. v. Township of Brick*, 89 F.3d 1096 (3rd Cir.1996); *Oxford House-C v. City of St. Louis*, 77 F.3d 249 (8th Cir.1996); *US v. Village of Palatine*, 37 F.3d 1230 (7th Cir.1994).

⁵⁸ See e.g., *Children's Alliance v. City of Bellevue*, 950 F.Supp. 1491 (W.D.Wash.1997).

- Prohibits an ordinance, practice, or policy that treats residential structures occupied by handicapped persons “differently” than a structure occupied by a family or other unrelated individuals.
- Does not require a city to make reasonable accommodations to permit a person with a handicap to occupy a dwelling.

A Pasco, WA zoning ordinance was the subject of Court review for compliance with WHPA.⁵⁹ Pasco denied an application for a special use permit to operate a group care facility for handicapped youth in a residential area. The primary use of the house would be residential, as the children would be transported off site to school, counseling, and treatment. The location of the proposed group home was within an R-1 single-family, low-density residential zoning district. The City argued that a SUP proceeding was required because the proposed group home was either a “group care facility” or a “community service facility”. After two public hearings, the city council denied the SUP. The City applied the home occupation ordinance that was designed to determine whether “the conduct of business may be permitted as a use accessory to an established residence.” The Court held that Pasco’s land use decision violated the WHPA. Because of the City’s definitions of “family” and “home occupation,” and the application of the home occupation environmental standards, handicapped children who required specialized care were denied access to a single-family home based on their handicap and familial status.

c. **Everett Definition of Family**

Everett’s zoning code contains a family composition regulation rather than a maximum occupancy restriction; therefore, it is not exempt from the Fair Housing Act. Everett Municipal Code 19.04.020 Zoning Code definitions⁶⁰:

“Family” means any number of persons related by blood, marriage or legal adoption and including foster children and exchange students living together as a single housekeeping unit. “Family” also means the following when living together as a single, not-for-profit housekeeping unit:

1. A group of not more than four related and unrelated adults and their related minor children, but not to exceed a total of eight related and unrelated persons; or
2. Not more than eight disabled persons, whether adults or minors, living together in a consensual residential living arrangement, but not to exceed a total of eight persons; or
3. State licensed adult family homes as defined by RCW 70.128.010; or
4. State licensed foster family homes and group care facilities as defined in RCW 74.15.020.

For the purposes of this definition, an adult is a person eighteen years of age or older, and a minor child is a person under the age of eighteen years old.

⁵⁹ *Sunderland Family Treatment Services v. City of Pasco*, 26 P.3d 985 (Wash. App. Div. 3) (2001).

⁶⁰ <https://www.codepublishing.com/WA/Everett/#!/Everett19/Everett1904.html>

The Everett definition of “family” provides for an unlimited number of related people but caps the number of unrelated people at eight. Such a definition can be a barrier for unrelated people with disabilities to live in a group home setting. However, the Everett definition specifically includes State licensed adult family homes, foster family homes, and group care facilities.

➤ **Consideration for the Jurisdiction:** To avoid imposing unfair housing barriers, a best practice in defining occupancy for zoning purposes is to use a maximum occupancy restriction, rather than a defined “family” composition regulation.

VII. Community Perception of Housing Discrimination in Everett

A. Community Surveys

Community surveys were distributed to gain a better understanding of the general knowledge of fair housing and perception and exposure to discrimination among the public. Two surveys were designed, one for housing providers (current and former housing providers, including property managers, landlords, real estate brokers, and mortgage lenders and originators, and their advocates (landlord associations and landlord attorneys)) (40 questions), and one for housing consumers and their advocates (including current and former tenants, transitional housing residents, homebuyers / owners, home mortgage borrowers, healthcare providers, tenant advocates, housing counselors, and social service providers) (37 questions). Surveys were also made available in Russian, Spanish, Korean and Vietnamese. The surveys were designed to seek information on the level of knowledge possessed by those in the community about fair housing laws, resources, and enforcement processes, and community exposure to and perceptions about the frequency of housing discrimination.

The City Community, Planning, and Economic Department distributed surveys to its email distribution list. NWFHA also sent 2,027 emails containing links to the surveys, including to employees or representatives of: Asian Pacific Islander Coalition; Bellwether Housing; Bridgeways; Catholic Immigration Legal Services; Catholic Refugee and Immigration Services; Coalition of Immigrants Refugees & Communities of Color; Daily Realty Group; Delta Property Management; Everett Community College (International Education Division); Everett Gospel Mission; Everett Housing Authority; Friends of Youth; Habitat for Humanity of Snohomish County; Hand in Hand; HASCO Community Services Division; Home Sight; Housing Authority of Snohomish County; Impact Property Management; Korean Women’s Association; NAMI Snohomish County; Northwest Immigrant Rights Project; Northwest Justice Project; Quantum Management Services; Refugee & Immigrant Services and Empowerment NW; Refugee Women's Alliance; Snohomish Co. Developmental Disabilities Program; Snohomish County Human Rights Commission; Snohomish County Human Services Department; Snohomish County Legal Services; Snohomish County-Camano Association of REALTORS®; Snohomish Health District Refugee Health Screening Program; Solid Ground; Take the Next Step; Tenants Union of WA State; The Arc of Snohomish County; United Way of Snohomish County; Vietnamese Friendship Association; Volunteers of America; WA State Commission on Asian Pacific American Affairs; WA State Migrant Education Program; Windermere Property Management NW; WA Low Income Housing Consortium;

Columbia Legal Services. Links to the surveys were posted on NWFHA's website, Twitter account and Facebook Page (10/31, 11/5/19 and 12/12/19).

The surveys are unscientific as they are subjective in nature, including some open-ended questions, and were provided to housing consumers, housing providers, and social service agencies assumed to have an interest in the outcome and enforcement of fair housing issues.

Survey Participants:

Forty-three surveys were completed (36 housing consumer / advocate surveys, 7 housing provider surveys).

Forty-eight percent of all survey respondents reside in Everett. Thirty percent reside in another city in Snohomish County. Twenty percent reside outside the County.

Responders to the housing consumer/advocate survey were unfairly representative of overall percentages of black, Pacific Islander or Hawaiian and Asian populations. It was, however, accurately representative of white, Native American or Alaskan Native and two or more race populations in Everett. There were two Native American responders in the consumer/advocate survey. Housing provider survey responders, only 16% of total survey responders, were only well representing black populations in Everett. There were no Pacific Islander or Hawaiian responders in either survey.

There was Hispanic / Latinx representation among housing consumers /advocates (19.44%), but no housing provider survey responders identified as Hispanic or Latinx. More females than males responded to surveys (70%).

Of housing consumers / advocates who responded to the survey, 38.9% reported they are tenants, 33.3% are home buyers or owners, 30.6% are social service providers, and the remainder selected tenant advocate, housing counselor, mortgage borrower, health care provider, tenant attorney, or other (private citizen, real estate brokerage owner, educator, affordable housing advocate).

Of housing providers responding to the survey, 3 are property managers, 3 are landlords, 2 identified as real estate brokers and 1 identified as a manager of transitional housing.

Housing provider survey responders who reported managing or owning dwelling units were represented at the 2-3 unit level (2 responses), 5-9-unit level (1 response), 30-50-unit level (1 response), and 101-150-unit level (1 response).

Participant Fair Housing Knowledge

All housing providers and most tenants / advocates correctly identified race, religion and disability as protected classes.

85.7% of housing providers correctly identified familial status as a protected class; 71.4% identified national origin and sexual orientation as a protect class; and 57.1% identified color, military / veteran, and creed as protected classes. Troublingly, only 42.9% chose marital status and source of income as protected classes; both are WA state protected classes not included in the federal Fair Housing Act.

Of housing consumer / advocate survey responders, 91.4% correctly identified race, 88.6% color and disability, 82.9% religion, 80% sex, 68.6% national origin, 62.9% military / veteran status, and 60% familial status and sexual orientation as protected classes. Only 40% knew that marital status and creed are protected classes, 37.1% source of income; again, these are WA state protected classes.

Only 33.3% of housing consumers / advocates said they have a good understanding of fair housing laws, compared to 85.71% of housing providers. The numbers are reversed for those who report just an understanding of some of the basics of fair housing laws (58.3% and 14.3% respectively). Only 8.3% of housing consumers /advocates reported they did not know anything about fair housing laws.

Perception of Type and Frequency of Housing Discrimination

Perceptions of if, and how often, housing discrimination occurs in rental housing in Everett were reported differently by housing consumers / advocates and housing providers. Fifty-one percent of the housing consumers / advocates believe housing discrimination in rentals commonly occurs, while 16% of housing providers believed so. 34.3% of housing consumers / advocates and 66.7% of housing providers believe discrimination in rentals occurs occasionally. Fourteen percent of housing consumers / advocates and no housing providers believe it rarely occurs. No housing consumers / advocates and 16.7% of housing providers believe rental discrimination does not occur. The three most common bases selected by housing consumers / advocates for believing discrimination occurs in rentals were source of income and criminal history, followed by race. The top three for housing providers were source of income, familial status and race.

Fewer survey participants believe that discrimination occurs in the sale of housing in Everett. 17.1% of housing consumers / advocates and no housing providers believe discrimination commonly occurs in sales; 54.3% of housing consumers / advocates and 66.7% of housing providers believe discrimination in sales occurs occasionally; 25.7% of housing consumers / advocates and 16.7% of housing providers believe it rarely occurs; and 5.7% of housing consumers / advocates and 16.67% of housing providers believe it does not occur. The most common bases for sales discrimination identified by housing consumers / advocates were again race, source of income, and criminal history with the addition of color. Housing providers selected source of income, race, and national origin as the most common reasons for sales discrimination.

25.7% of housing consumers / advocates and 16.67% of housing providers believe lending discrimination happens commonly; 48.6% of housing consumers / advocates and 50% of housing provider believe it occurs occasionally; 17.1% of housing consumes / advocates and 16.7% of housing providers believe it occurs rarely; and 8.6% of housing consumers and 16.7% of housing providers believe it does not occur. The most commonly selected bases for housing consumers / advocates to believe lending discrimination occurs were, again, source of income, race, and

criminal history. Housing providers selected, again, source of income, race, and criminal history with the addition of age as their top reasons.

Community Concerns

When asked what most concerned survey participants with respect to fair housing opportunity in Everett, of 19 options, the top 7 selected by each survey group are listed in the tables below. Two of the same issues made the top three for each survey group: rental affordability – cost of rental; and rental unit availability – quantity available for rent.

Housing Consumers / Advocates:

| | |
|--|--------|
| Rental affordability – cost of rental | 88.57% |
| Rental unit availability – quantity available for rent | 54.29% |
| Discrimination in rental housing | 48.57% |
| Housing purchase affordability – cost of home purchase | 45.71% |
| Acceptance of vouchers, subsidies, or alternative sources of income by housing providers | 42.86% |
| Use of criminal records for rental applicants | 40.00% |
| Habitability (quality/condition) of rental properties | 40.00% |

Housing Providers:

| | |
|---|--------|
| Rental unit availability – quantity available for rent | 83.33% |
| Zoning and siting of housing | 66.67% |
| Rental affordability – cost of rental | 50.00% |
| Housing purchase affordability – cost of home purchase | 33.33% |
| Use of criminal records for rental applicants | 33.33% |
| Effects of criminal laws and enforcement on protected classes | 33.33% |
| Discrimination in mortgage lending | 33.33% |

When asked if survey responders were aware of any housing practices in Everett that are barriers to equal and full access to housing, 44.1% of housing consumers / advocates and 28.6% of housing providers utilized the “please explain” narrative section to provide additional detail. Concerns included:

- Rent is too high for income levels
- Charging people so much money for every adult applying for the rental. Background checks that screen out anyone with any criminal history. Discrimination against Muslims, people of color, families with a lot of children, and against individuals with Section 8 vouchers. Requiring Deposit/first/last month's of rent to get into an apartment which can cost over \$6k. Refusing housing to people with bad credit.
- many affordable housing for seniors keep raising the rent and then it goes up again on the federal side. Seniors are on a fixed income. They can't afford to stay in them. Finding an affordable place is getting harder for them due to the rise in rental rates. Same with Low Income housing. Many cost more than what they are actually worth!
- Landlords expect the most money they can get via rents. Human nature. As long as housing and shelter can be used as a tool for making money it's always going to be tough for the guys at the bottom of the economic ladder.

- i am seeing more discrimination and expressed biases for people living with disabilities and mental health. We need more mental health responses too as landlords are not equipped to deal with certain situations. There are also a lot of assumptions of applicants with rental assistance.
- Language
- The current section 8/waitlist unavailability of low cost housing in general.
- The Snohomish Housing Authority having an 8 year+ waitlist for Section 8 is a pretty higher barrier :^) Also yall need to catch up with Seattle and pass a Fair Chance at Housing Law to strike down criminal background checks used in housing applications.
- Landlords are still not accepting Section 8 vouchers, but finding other reasons to deny people with vouchers.
- availability of affordable homes
- Denying rental to disabled individuals to avoid dealing with reasonable accommodation
- Denying rental to large families with children to “protect property from damage”
- WITH THE NEW HOUSING LAWS IN EFFECT ABOUT SOURCE OF INCOME. I HAVE SEEN A LOT OF LANDLORDS MANDATE A CERTAIN CREDIT SCORE. i MYSELF WORK IN HOUSING AND I AM ON HOUSING. I HAVE A DECENT JOB AND A GREAT RENTERS HISTORY. BUT BECAUSE OF MY CREDIT WOULD BE DENIED TO MOST PLACES NOW.
- Source of income laws are disregarded, I still see discrimination in regards to that, disabilities & race.
- 1. downpayment loan 2. diversity 3. dominant group direct and run most of the city services 4. more diversity at the city level 5. welcoming message to minority group in the downtown area of everett 6. small business and diversity business loan access

Identified Needs

Fair Housing Information

Housing consumers / advocates said that property managers, tenants, and landlords are all in need of increased fair housing education (88.9% each). Housing providers selected the same three groups with the addition of homebuyers as needing fair housing education with response rates of 85.7% for property managers and 71.4% each for tenants, landlords, and homebuyers.

Eighty percent of housing consumers / advocates believe that providing training for those who work with tenants and homebuyers is an effective way to provide fair housing information to tenants and homebuyers. 71.4% of housing providers and 51.4% of housing consumers / advocates believe that conducting in-person trainings is an effective way to provide fair housing information to tenants and homebuyers in Everett. Television public service announcements, radio public service announcements, and newspaper public service announcements were among the top effective ways to provide fair housing information to tenants and homebuyers according to housing consumers / advocates (45.7%, 42.9% and 34.3%, respectively). Housing providers, however, selected information tables at community events, recorded webinars, and brochures

among their top choices for effective ways to provide fair housing information to tenants, homebuyers, and housing providers (57.1%, 57.1%, and 42.9% respectively). Live webinars, information tables at community events and recorded webinars had the lowest selection rate among housing consumers / advocates. While television public service announcements, radio public service announcements, newspaper public service announcements and live webinars had the lowest selection rate among housing providers. Comments identified social media, public service announcements, and laws that require mandatory training for renters as other options.

71.4% of housing consumer / advocate survey participants said that fair housing enforcement by administrative agencies was most needed to improve equal access to housing opportunities in Everett. However, 57.1% of housing providers identified fair housing training and fair housing public service announcements as most needed to improve equal access to housing opportunities. 54.3% of housing consumers / advocates identified both fair housing testing and investigation and fair housing enforcement in the courts as most needed. For fair housing providers, the next common choices at 28.6% were fair housing enforcement by administrative agencies and fair housing enforcement in the courts.

B. Public Forums

Reserved

VIII. ASSESSMENT OF CURRENT PUBLIC AND PRIVATE FAIR HOUSING PROGRAMS AND ACTIVITIES IN THE JURISDICTION

A. Fair Housing Enforcement

Effective fair housing enforcement is essential to a comprehensive program to affirmatively further fair housing. The following entities provide varying degrees of fair housing enforcement in Snohomish County:

1. **FAIR HOUSING CENTER OF WASHINGTON (FHCW)**

1517 South Fawcett, Suite 250
Tacoma, WA 98402
Phone: (253) 274-9523
Fax: (253) 274-8220
Web Site: www.fhcwashington.org

The Fair Housing Center of Washington is a 501 (c) 3 nonprofit organization with the mission of "[assuring] equal access to housing and other related services to the residents of WA. The Fair Housing Center serves western and central WA by accepting and investigating complaints of housing discrimination, conducts training and education for housing providers and housing consumers to prevent and address housing discrimination, conducts rental, sales and mortgage lending testing and prepares *Analysis of Impediments to Fair Housing Choice* (AI) for entitlement regions along with other specialized contracts. The agency has also been involved in programs that cover the State of WA and HUD's Region X. The agency is known for its excellence in the field through monitoring by HUD (FHCW has received the highest of possible scores in HUD evaluations since 2002).

2. **WASHINGTON STATE HUMAN RIGHTS COMMISSION (WSHRC)**

711 S. Capitol Way, Suite 402
Olympia, WA 98504-2490
Tel: (360) 753-6770
Fax: (360) 586-2282
TDD: 1 (800) 233-3247

The WSHRC administers the State law prohibiting discrimination in employment, credit, and insurance transactions, public accommodations, and real property transactions against the federally protected classes and based on marital status, sexual orientation, and veteran status. The duties of WSHRC include processing complaints, establishing regulations, conducting studies, and providing educational and consulting services. WSHRC has five members appointed by the Governor and operates district offices in Olympia, Vancouver, Spokane, Yakima, and East Wenatchee.

The WSHRC has a cooperative agreement with the Department of Housing and Urban Development (HUD) to process and investigate dual-filed housing complaints for which the Commission receives federal funding under the Fair Housing Assistance Program (FHAP). The Commission is a FHAP agency because Washington's law is substantially equivalent to the federal Fair Housing Act. Most of the Commission's housing cases are dual filed with HUD; however, in

some instances, the state fair housing law is more expansive than the federal fair housing law and the Commission will prepare a complaint with Commission jurisdiction only.

3. U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD)

FHEO HUB Office
909 1st Ave., Ste. 205, OAE
Seattle, WA 98104
(800) 877-0246 or (206) 220-5170
TDD: (206) 220-5185
FAX: (206) 220-5447

Nationally, the HUD Office of Fair Housing and Equal Opportunity administers federal laws and establishes national policies that make sure all Americans have equal access to the housing of their choice. Particular activities carried out by the Office of Fair Housing and Equal Opportunity include implementing and enforcing the Fair Housing Act and other civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and the Architectural Barriers Act of 1968. In addition, FHEO

- manages the Fair Housing Assistance Program (FHAP) (WSHRC is a FHAP)
- administer the award and management of Fair Housing Initiatives Program (FHIP) grants (NWFHA and FHCW are FHIP grantees);
- proposes fair housing legislation;
- works with other government agencies on fair housing issues;
- reviews and comments on Department clearances of proposed rules, handbooks, legislation, draft reports, and notices of funding availability for fair housing considerations;
- interprets policy, process complaints, perform compliance reviews and offer technical assistance to local housing authorities and community development agencies regarding Section 3 of the Housing and Urban Development Act of 1968;
- ensures the enforcement of federal laws relating to the elimination of all forms of discrimination in HUD's employment practices;
- conducts oversight of the Government-Sponsored Enterprises, Fannie Mae and Freddie Mac, to ensure consistency with the Fair Housing Act and the fair housing provisions of the Federal Housing Enterprises Financial Safety and Soundness Act; and
- works with private industry, fair housing and community advocates on the promotion of voluntary fair housing compliance.

B. Informational Programs

Fair Housing education and outreach activities have been conducted in Everett by the Fair Housing Center of Washington, and by the Volunteers of America Dispute Resolution Center.

1. Fair Housing Center of Washington

Fair Housing Center of Washington (FHCW) staff members regularly provide fair housing information and training to consumers, housing providers, lending institutions, and social service and government agencies in Western and Central Washington. The FHCW will provide instruction about federal, state, and local fair housing laws, reasonable accommodation and modification, and current trends/cases pursuant to grant funding and on a fee for service basis. FHCW's training and outreach activities in Everett during 2012 - 2019 are listed in Table 60.

| Table 60: Everett Education & Outreach - January 2011 - September 2019 | | | | | |
|--|---|----------|------|-----------|---|
| Training / Outreach and Education | Location | Zip Code | Date | Attendees | Materials Distributed |
| Materials Distributed | Everett Housing Authority | 98206 | 2012 | - | Brochures: 10 English, 10 Spanish |
| Materials Distributed | South Everett Neighborhood Center | 98203 | 2012 | - | Brochures: 10 English; 10 Spanish; 10 Russian |
| Materials Distributed | Lohet Khmer Association | 98203 | 2012 | - | Brochures: 10 English; 10 Cambodian |
| General Fair Housing Training | Landlord Association of the North Sound/SCAOA | 99208 | 2014 | | |
| General Fair Housing Training (Realtors) | Snohomish County Camano Assoc. of Realtors | 98201 | 2015 | 32 | 35 Training Packets |
| Material Distribution - via mail | Everett Muslim Community Center | | 2015 | | 10 Cambodian Brochures |
| General Fair Housing Training | Snohomish-Camano Association of REALTORS | 98201 | 2016 | 37 | 40 Training Packets |
| General Fair Housing Training | Snohomish-Camano Association of REALTORS | 98201 | 2017 | 21 | 21 Training Packets |
| General Fair Housing Training | Snohomish-Camano Association of REALTORS | 98201 | 2018 | 18 | 18 Training Packets |

2. Volunteers of America Dispute Resolution Center

Volunteers of America Western Washington (VOAWW) is headquartered in Everett and serves six Western Washington counties: Island, King, San Juan, Skagit, Snohomish and Whatcom. VOAWW supports and promotes Fair Housing through education, outreach, and counseling to ensure that people have the opportunity to provide and secure housing without discrimination. The VOAWW Dispute Resolution Center (DRC) is an alternative justice center with extensive experience as a mediation and training program. The DRC was founded by the Volunteers of America in 1982 as the Rental Housing Mediation Service and serves as the Fair Housing Counselor for Snohomish County. In 1986, it became the first dispute resolution center in the State of Washington pursuant to state legislation RCW 7.75. The DRC provides a wide range of professional and affordable conflict resolution services that include: Fair Housing and

Landlord/Tenant Services, Large Group Facilitation, Mediation, and Small Claims Court Mediation. DRC Fair Housing Counselors can meet with landlords or tenants and discuss fair housing concerns and problem solve next steps. These steps may include providing information, coaching, mediation, or referrals to other agencies.

In recent years, VOAWW has offered at least 10 Fair Housing trainings annually for tenants at the Carnegie Resource Center in Everett, providing information on protected classes; Fair Housing laws, compliance & protections; disabilities and accommodations; and formal complaints. The VOA also provides two 3-hour Fair Housing trainings conducted in conjunction with the Washington State Human Rights Commission annually. The DRC also maintains a website (<https://www.voaww.org/fairhousing>) with fair housing information, including brochures in English, Spanish, Russian, Chinese, Korean, Arabic, Nepali, and Vietnamese, and links to file complaints with HUD, WSHRC, and the FHCW.

Four employees of VOA and DRC (the Senior Director, Housing Program Manager, and both the former and current Landlord-Tenant and Fair Housing Counselors) were interviewed on October 28, 2019 for this Analysis of Impediments. The Housing Program Manager provided reports on fair housing education and renter recertification activities conducted under Ending Homelessness Program and CDBG grants from the County.

C. INITIATIVES TO PRESERVE AND INCREASE AFFORDABLE HOUSING FOR PROTECTED CLASSES

Housing Affordability Regional Taskforce (HART)

Everett City officials and representatives participated in the Snohomish County Housing Affordability Regional Taskforce (HART), which commenced meeting in May 2019 with a mission of working collaboratively to develop a five-year action plan that identifies priorities for county and city governments to accelerate our collective ability to meet the housing affordability needs of all Snohomish County residents and set a foundation for continued success through 2050. Representatives from 14 cities and the County of Snohomish actively participated. HART released a draft report⁶¹ in December 2019, which sets forth recommendations to city and county officials in Snohomish County in the form of a Five-Year Housing Affordability Action Plan (Action Plan). HART's premise is that local government has a role to address housing affordability through policy and regulatory actions, funding, and community outreach and engagement. The Executive Summary provides:

The rate at which housing units are being constructed in Snohomish County is simply not keeping pace with our growth in population, and most of the housing coming online is unaffordable to those at moderate- or low-incomes. Today, a third of the households in Snohomish County are “cost burdened”—they pay more than thirty percent of their income on housing and utilities. These households exist at all income levels. A third of all

⁶¹ <https://www.snohomishcountywa.gov/DocumentCenter/View/70782/3-Draft-HART-Report?bidId=>

Snohomish County households are low-income, which we define as households earning 60% or less of Area Median Income: housing affordable to these families will generally not be produced without some type of government intervention or subsidy.

Draft HART Report and Five-Year Action Plan Published January 2020, p. 6.

The draft HART report reveals that the County's low-income housing is being lost to redevelopment and resale, housing supply is not keeping pace with population growth, and the existing housing supply is weighted toward single-family homes which are affordable to fewer households than "middle housing" (e.g., duplexes, townhomes, and smaller scale multifamily properties).

Recognizing the intersection of equal housing opportunity and affordable housing, the draft HART report states:

Rapidly rising housing costs result in displacement of households with lower incomes to areas farther from job centers which are typically less well served by services and transportation systems. **As a result of both historic and current practices, communities of color and historically under-served communities are disproportionately impacted by these trends. While we are seeking to improve affordability for all residents, it is important to be mindful of this aspect of our housing affordability challenge.** (Emphasis added)

Draft HART Report and Five-Year Action Plan Published January 2020, p. 23.

HART recommends 5 goals, two of which include strategies to address disparities for people of color:

GOAL 2: Identify and preserve existing housing at risk of rapid rent escalation or redevelopment, balancing this with the need for more density

Policy and Regulatory Strategies: 2.1 **Protect communities of color, historically underserved communities, and low-income communities from displacement by gentrification.** • *As a result of location or real estate market trends, we often see existing housing for underserved communities being prime for redevelopment. Anti-displacement strategies and increasing household choice for these residents are important strategies. At its core, anti-displacement strategies involve purchasing housing and decoupling it from market pressures.*

Funding Strategies: 2.3 **Increase investments in communities of color, historically underserved communities, and low-income communities by developing programs and policies that serve individuals and families at risk of displacement.** • *This is a companion to Strategy 2.1. To the extent these communities live on lower cost property, they are often at higher risk of redevelopment — and loss of both their community and their affordable homes. There are a number of related strategies here including community land trusts, cooperation agreements with the Housing Authority of Snohomish County, and other funding mechanisms to facilitate purchase of low-income housing at risk of redevelopment.*

Goal 4: Implement outreach and education programs, countywide and within individual jurisdictions, to raise awareness of housing affordability challenges and support for action

Policy and Regulatory Strategies: 4.1 **Engage communities of color, historically underserved communities, and low-income communities in affordable housing development and policy decision.** • *These communities are often most in need of low-income housing and most vulnerable to having their existing housing redeveloped or subject to significant rent increases. Cities and housing agencies should use a race and social equity lens and/or racial equity toolkit when making policy decisions regarding low-income housing. Community-based policy development is consistent with the overall philosophy that as elected officials we are here to understand and promote the needs of our residents*

SIGNATURE PAGE

Chief Elected Official

Date